

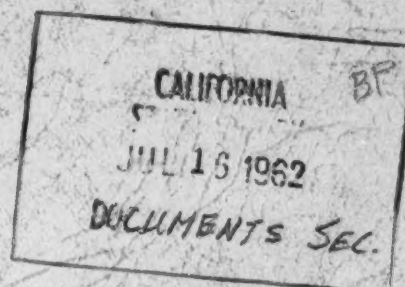
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Before the
ASSEMBLY COMMITTEE ON EDUCATION,
SUBCOMMITTEE ON EXTENSION & RESTRICTION OF TENURE,
STATE OF CALIFORNIA

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Hearing

Hearing on Long Beach State College
held in Room 115, State Building,
Los Angeles, California.

---oOo---

Saturday, December 6, 1958,
at 10:00 a.m.

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5 SUBCOMMITTEE ON EXTENSION & RESTRICTION OF TENURE,
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A P P E A R A N C E S

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Subcommittee Members Present:

Assemblyman Ernest R. Geddes, Chairman
Assemblyman Carley V. Porter, Vice Chairman

Assemblyman Carlos Bee, Member
Assemblyman Richard T. Hanna, Member
Assemblyman Edward M. Gaffney, Member
Assemblyman Edward E. Elliott, Member
Assemblyman William S. Grant, Member

Also Present:

James C. Marshall, Consultant
Blanche V. Hansen, Secretary
Alex C. Kaempfer, Certified Shorthand Reporter

For Department of Education:

Dr. J. Burton Vasche, Associate Superintendent;
Chief, Division of State Colleges and Teacher
Education

Laurence D. Kearney, Administrative Adviser

And Assemblage.

ALEX C. KAEMPFER

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4123 BRUHN COURT, SACRAMENTO 21, CALIFORNIA

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1 CHAIRMAN GEDDES: The meeting of the Subcommittee
2 on Extension & Restriction of Tenure of the Assembly Interim
3 Committee on Education will be in order. This is a special
4 hearing which has been called because of certain difficulties
5 which have arisen at Long Beach State College. Many members
6 of the Legislature have, during the past several months, been
7 advised of certain restrictions between the faculty and
8 administration at Long Beach State College. In order to
9 clarify the situation at Long Beach and to bring certain
10 charges out into the open, we are gathered here today for this
11 public hearing.

12 Members of the Subcommittee, of which I am Chairman,
13 and who are here today include, at my far right Mr. Carlos
14 Bee, Assemblyman Carlos Bee of Hayward; next to him, sitting
15 in with us, is Mr. Dick Hanna of ~~Orange~~ Orange County; next to him,
16 Assemblyman Bill Grant of the Long Beach area; immediately on
17 my right is the Committee Consultant, Mr. James Marshall; at
18 my far left is Mr. Ed Elliott, member of the Committee from
19 Los Angeles; on his right, Mr. Ed Gaffney, member of the
20 Committee from San Francisco; next to him, Mr. Carley Porter,
21 member of the Committee from Compton. Immediately to my left
22 is Miss Blanche Hansen, the Committee Secretary. I am
23 Assemblyman Ernest R. Geddes of Clairmont. The Court Reporter
24 who is taking down the transcript of the proceedings is Mr.
25 Alex C. Kaempfer of Sacramento.

26 I would interpolate here that the Committee does

1 not furnish transcripts to those who testify or to people who
2 request them because we have limited funds. We have merely
3 those transcripts, which are rather voluminous, that the
4 Committee will need to finalize its studies, and any of you
5 who wish to arrange for a copy of the transcript, if you think
6 it worth your while and want to pay the necessary expense,
7 you can make your own arrangements with Mr. Kaempfer during
8 the recess.

9 We are here under the authority of House Resolution
10 No. 285 of the 1957 Regular Session of the California State
11 Assembly. The Resolution says:

12 "The Committee is authorized and directed to
13 ascertain, study, analyze, all facts relating to the education
14 of the citizens of this state and all facts relating to the
15 schools, colleges, and universities, public or private,
16 engaged therein, including but not limited to the public
17 school system, the University of California and its several
18 branches, the education practices throughout the state,
19 agencies whose actions bear upon or affect education in this
20 state and all organizations of educators and public school
21 employees and the effect of such organizations on the public
22 school system."

23 As further authority for this hearing on the
24 specific subjects which we will discuss this morning, I will
25 now read you a letter of authority to me from Assemblyman
26 Donald D. Doyle, Chairman of the Assembly Committee on

1 Education. The letter reads:

2 "Dear Mr. Geddes:

3 "You have been serving as Chairman of the Assembly
4 Committee on Education - Subcommittee on Extension and
5 Restriction of Tenure.

6 "In addition to other duties previously assigned to
7 you and this Subcommittee, the Subcommittee is hereby authorized
8 and empowered to investigate, study and analyze all matters
9 pertaining to the administration and operation of the Long
10 Beach State College, located in Long Beach, California, and to
11 make such recommendations and reports on any matters pertaining
12 thereto, as may be determined by this Subcommittee."

13 We have decided that all witnesses at this hearing
14 will be under oath and will be required to answer such
15 questions concerning this subject as may be asked. We are
16 doing this so that certain protection can be afforded the
17 faculty members and others who will be testifying today.

18 Each of the witnesses have been subpoenaed by the
19 Committee to appear here today. Although this Committee
20 readily realizes that the subpoenas are not necessary to get
21 the cooperation of the administration and the faculty at Long
22 Beach State College, we thought it advisable, in order to
23 protect those who will appear from any criticisms that might
24 be expressed in the future and also to insure the appearance
25 of one or two people who have indicated a reluctance to speak
26 before the Committee.

The two general subjects which we will look into today will be the case of Martin and Black and, secondly, the relationships between the faculty and administration at Long Beach State College.

In the case of Martin and Black, we would like to stipulate that the President of Long Beach State College had every right, under the law, not to rehire these two gentlemen. Everyone realizes that this Committee or the Legislature does not have the authority, nor would it reinstate any employee who had failed to be recommended for re-employment. However, the Legislature is concerned with the reasons behind non-retention of these two men to see if additional legislation is required so that every probationary faculty member would have more protection than they have now.

Because of the shortage of time involved in a one day legislative hearing, we request that the witnesses limit any statements or answers to questions to as short a time as possible. The Committee is very willing to receive into evidence any documents, statements, or other material that any witness cares to leave with the Committee. They will all become a part of the official hearing.

As each witness is called, I will administer the oath. I also call attention right now while we are all here, I hope it won't be necessary to use it, to Section 9411 of the Government Code: (Reading)

"STATE EMPLOYMENT OF PERSONS COMMITTING CONTEMPT.

1 "DISCHARGE BY STATE DEPARTMENT, ETC. RECEIPT OF COMPENSATION
2 FOR SUBSEQUENT SERVICES.

3 "Every state department, office, board, commission
4 or bureau, including The Regents of the University of
5 California, shall discharge any person who commits a contempt
6 before any committee. Such person shall receive no compen-
7 sation from the State or any agency thereof for services
8 rendered after the date of such refusal.

9 "STATE DEPARTMENT, ETC. NOT TO EMPLOY OR COMPENSATE.

10 "No state department, office, board, commission or
11 bureau, including The Regents of the University of California
12 shall ever employ or compensate for services any person who
13 has at any time prior to the proposed employment or compen-
14 sation committed a contempt before any committee.

15 "READING OF SECTION. CERTIFICATION OF REFUSAL.
16 NOTICE.

17 "The committee shall read this section to the person
18 so refusing, and shall certify the refusal to the State
19 Personnel Board and to the State Controller. Upon receipt of
20 such certificate, the State Personnel Board shall immediately
21 notify every state department, office, board, commission or
22 bureau, including The Regents of the University of California,
23 by whom such person is or has at any time been employed."

24 We have a long list of witnesses. We have only
25 a few hours in a day. We chose this day because it would be
26 more convenient for faculty and others from Long Beach than

1 at some midweek date.

2 We want to call first Dr. J. Burton Vasche. Will
3 you come forward, please?

4 (Thereupon Dr. J. Burton Vasche was duly and regular-
5 ly sworn by Chairman Geddes.)

6 CHAIRMAN GEDDES: Will you be seated, please? Now,
7 Dr. Vasche, you have here a document which you have presented
8 to the Committee in three copies. This will be received as
9 Committee Exhibit No. 1 of this hearing and so identified.
10 You have also a copy for your own use which to the best of your
11 knowledge is an exact copy of those which you have furnished
12 the Committee?

13 DR. VASCHE: Exact copy. It's a mimeographed and
14 dittoed copy.

15 CHAIRMAN GEDDES: All right, sir.

16 DR. VASCHE: There is also a letter, I think, which
17 Miss Hansen has, which may deal upon the early part or at
18 least some part of the discussion today.

19 CHAIRMAN GEDDES: And that letter will become part
20 of our record?

21 DR. VASCHE: You have the original and there are
22 some dittoed copies, I think enough copies for the members
23 of the Committee.

24 CHAIRMAN GEDDES: All right. I know you don't want
25 to read the whole thing. It seems to be a documentation of
26 what you wish to present, so you proceed now in your own way.

1 DR. VASCHE: Mr. Chairman, and members of the
2 Committee, I am J. Burton Vasche, Associate Superintendent of
3 Public Instruction and Chief of the Division of State Colleges
4 and Teacher Education.

5 CHAIRMAN GEDDES: To interrupt right here, what are
6 your specific duties?

7 DR. VASCHE: My duties include the general supervision
8 for the Director of Education and the State Board of Education
9 of the twelve California state colleges of which Long Beach
10 State College is one of our very fine institutions.

11 CHAIRMAN GEDDES: All right. Will you proceed?

12 DR. VASCHE: Yes. At the request of the Chairman
13 or the Secretary of the Committee, Mr. Marshall, I have brought
14 together for the Committee various documents pertinent to the
15 topic under discussion today. I regret these are copies of
16 certain materials which I think have been matters of public
17 record, materials of the State Board of Education minutes and
18 various reports down through the years. These are not sufficient
19 copies -- I did not know how large the Committee would be
20 today -- but I think you may share it. I am not going to read
21 the document to you. It's an extensive document. I do want
22 to point up certain highlights in the document. I think I
23 should say at this time it's been the pleasure of our office
24 to work with members of this Committee and other committees
25 of the Legislature with full cooperation in the past, and we
26 hope that we can do so today, and I would suggest that if you

1 have questions as I go through -- some matters I will not cover
2 in detail because of time -- I'll be very pleased to elaborate
3 upon this further. I also have with me here today Mr. Laurence
4 D. Kearney, who is the Administrative Adviser of the Department
5 of Education. If you have any legal questions relating to
6 these materials, Mr. Kearney is prepared to explain these
7 materials to you.

8 On the first page of the document, a word of back-
9 ground about the Long Beach State College, which I think is
10 essential to an understanding of the problem today. This
11 College was founded in 1949. The people of the city of Long
12 Beach voted at an election to purchase a site. They donated
13 the 320 acre site to the State of California for the College.
14 To my knowledge that's the only time that's ever been done.
15 It represents, I think, a tremendous interest upon the part
16 of the people of that community.

17 Long Beach State College has developed faster, I
18 think, in all regards - taking everything together - than any
19 of our other state colleges during a period of some nine
20 years. We are now in permanent buildings on the campus site
21 and I think those buildings shape up in good relationship to
22 the best college campuses and facilities in this country. The
23 College is being master-planned for 20,000 students. We
24 have some 10,000 students currently taking the work at the
25 College. The five-year building program, which you will have
26 before you this session of the Legislature, includes

1 \$21,000,000 within the next five-year period for additional
2 building for the College to take care of growth.

3 The College is accredited by the Western College
4 Association, by the Northwest Association of Secondary and
5 Higher Schools, and by our own State Board of Education, this
6 latter accreditation for future education. Every indication
7 is that the education program of the College is excellent. The
8 College is receiving fine community support and has acquired
9 many outstanding scholars and teachers on its faculty.

10 The President of the Long Beach State College was
11 selected for this position by the Director of Education with
12 the approval of the State Board of Education in the spring of
13 1949. The Legislature established the College in the spring
14 of that year and instruction began on September 28, 1949.

15 The President of the College earned his Ph.D. degree
16 in Stanford University with a major in chemistry, and began
17 his state college career as a Professor of Chemistry and
18 Chairman of the Department of Natural Science at San Jose
19 State College in 1922. In 1946 he was asked to assume the
20 position as Dean of Professional Education at San Jose State
21 College. When the Legislature in 1947 established the Los
22 Angeles State College of Applied Art and Sciences, he was
23 selected to head up this new institution. Los Angeles State
24 College operated at that time under two administrations --
25 the State College operated as a separate unit; the City
26 College operated under a single, under another administration,

1 and then in 1949 when the Long Beach State College was
2 authorized, he was asked by the Director of Education to
3 assume responsibility for the development of the new College.

4 And I think in spite of any other reactions folks
5 may have, Long Beach State College has developed in a very,
6 very fine way building-wise and those things, in the nine
7 year period.

8 The administrative structure of the College is based
9 upon Management Survey 828. That's attached here as No. 1.
10 That study was made by a Joint Committee, was produced by the
11 Organization and Cost Control Division of the Department of
12 Finance and had the full approval of the Director of Finance
13 of the State of California. This same program, this same
14 procedure is being followed in staffing of other state
15 colleges, and I think if you have questions in that regard in
16 relationship to the organization of the College, we'll be very
17 pleased to have you present those to me.

18 I think this is a document in relationship to the
19 staffing of each which may be of interest to the Committee at
20 some point.

21 Development of the College from scratch in Long
22 Beach presented certain significant problems. The Director
23 of Education in 1952 formed a committee of three men to
24 investigate certain conditions at the then new College to
25 present recommendations to him and through him to the State
26 Board of Education. Now, this is a very detailed report.

1 The report was prepared by a committee consisting of Dr. Arthur
2 G. Coons, the distinguished President of Occidental College,
3 Dr. Edwin A. Lee, Dean of the School of Education, U.C.L.A.,
4 and Alfred E. Lentz, now deceased, but at that time
5 Administrative Advisor to the State Department of Education.
6 That report is an extensive report dealing with the develop-
7 ments and the operations and the problems of Long Beach State
8 College, and I think the report appears in the minutes of the
9 State Board of Education as a public document.

10 Then the State Board of Education at its meeting in
11 Los Angeles on August 1, 1952, reviewed the 1952 report and
12 the action which the Board took, the complete action from the
13 Board of Education minutes, appears as Attachment No. 3, and
14 I think the two recommendations in that report are pertinent,
15 and this question was asked by the Secretary of the Committee
16 and that's why the report is here -- the State Board of
17 Education by a vote of seven affirmative votes and one member
18 present at the Committee did not vote; two members were
19 absent -- the motion was carried that for the fiscal year
20 1952-53, at the salary fixed pursuant to law, Dr. P. Victor
21 Peterson be reappointed as President of the College. The
22 second recommendation -- and this involved many personnel
23 questions at that time -- was that employees listed on the
24 Long Beach State College appointment sheet, which appears
25 on the agenda today, be approved. The State Board of
26 Education approved that action.

1 On follow-up to the 1952 report -- I think I just
2 want to say a word about that -- it appears on page 3, I think,
3 of the basic document, Attachment Number 4 in the report
4 enumerates the carrying out of the Board's action. The
5 Associate Superintendent was asked -- it happened that I assumed
6 my duties; I came back to California from Colorado where I was
7 then State Commissioner of Education, came back early in the
8 fall of '52 -- and it was my assignment to prepare and to
9 transmit and to work with the President of the Deans of the
10 College in terms of reviewing certain administrative practices,
11 and these appear as Attachment Number 4. Those are general
12 recommended practices for the Long Beach State College.
13 There are some 25 points in that report, and it was my re-
14 sponsibility to prepare it. That was done in relationship to
15 the sound administrative practice in educational institutions
16 throughout the country, and the report, I think, indicates at
17 least certain areas which every good institution should have
18 provision made for meeting. And maybe you will have questions
19 on that.

20 During the academic year 1953-54, the then Dean of
21 the School of Education of Stanford University, spent a full
22 year as visiting professor at Long Beach State College. One
23 of the chief purposes was for him to assist the President and
24 other administrative officers in the further development of
25 the College program. During this time the Dean reported
26 informally to the Director of Education and my office, and

1 we had an opportunity to discuss general progress with him.

2 At the same time there was clear indication that
3 definite improvements were being made in the development of a
4 sound, working structure through which faculty, non-academic
5 staff and the administration could work cooperatively. It was
6 during the period of 1953 -- it was after the 1952 discussions
7 and the actions of the Board, and these other things -- 1953-
8 54 and '55, that the College had made its most rapid expansions
9 in its staff and to do the basic planning which has been so
10 necessary to the building program for the general development
11 of the College and I think in all sincerity that I can say
12 that this period of accomplishment at this College has few
13 equals in the annals of American higher education. I defy
14 anyone in this room to point out any other fine institution
15 which has made the progress of the kind which we have exper-
16 ienced at the Long Beach State College, in spite of the prob-
17 lems which in the minds of some people exist there at the present
18 time.

19 Now, in 1958, Attachment Number 5 presents a report
20 based upon the first problem which you mentioned today, Mr.
21 Chairman, namely the re-employment of certain faculty members
22 for the 1958-59 college year. Again, this represents I don't
23 know how many hundred hours I spent on this problem myself.
24 This document was prepared by me at the assignment of the
25 State Board of Education, and I will not belabor this report
26 except that it's in here, and I think rather than have me go

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1 through all the details, I think you should present your ques-
2 tions, or there'll be people testifying here today, to have
3 an opportunity to go back and review certain basic points.

4 The problem, I think, appears in the first part of
5 the 5th Attachment. The State Board of Education, meeting in
6 Fresno State College on May 10, 1958, did receive a visit
7 from certain individuals representing the faculty at Long
8 Beach State College, or part of the faculty. That group had
9 an opportunity to present certain information to the Board.
10 The State Board of Education then asked that we prepare a
11 report. I did this personally. I think during the course of
12 the preparation of the report I had an opportunity to receive
13 from all parties, all sides, all individuals in this contro-
14 versy, all material that they wanted to submit, and I think
15 that people on all sides have been in my office, groups of
16 people presenting various aspects of the problem. And from
17 it, then, I tried to prepare a report that would present as
18 objectively as possible our position, the pros and cons,
19 ramifications, and so on. I include also a section there
20 dealing with the provisions relating to faculty employment.

21 Now, in our state colleges, the State College Presi-
22 dent -- I won't read all this to you. It works this way.
23 The State College President under the law is responsible for
24 nominating the Director of Education and in turn ratified by
25 the State Board of Education those individuals who are
26 service members of the college faculties. It's customary

1 for a person to be employed the first year on what actually
2 is a one-year contract, teaching the academic year in case;
3 this year it would be '58-59. He would be employed to teach
4 that year. He would be re-employed to teach the second year;
5 would be re-employed to teach the third year if, and this is
6 based upon the laws which you have written into the laws of
7 our state, if he teaches beyond the third employment, in other
8 words, when he starts teaching his fourth year, he automatically
9 under the laws of the State of California receives tenure. And
10 I think the general procedures, by and large, our state college
11 people when they are employed progress normally through that
12 requiring tenure.

13 Long Beach State College has developed fast. It's
14 a new institution. There were no tenure teachers, of course,
15 when it started. It had to be in the fourth year before it
16 could have a tenure teacher on the faculty. Since that time
17 the College has given tenure to large numbers of people, and
18 I think many people who will be heard today are people who
19 have worked through the process, and have been deemed to be
20 qualified for that permanent status.

21 Well, now, on page 3 of Attachment 5, I have a
22 chronology of events. Long Beach State College this year,
23 as is true with many other state colleges, had a number of
24 people who did not come back for the fourth year. Several of
25 those, I've been advised, and I don't think there's any dis-
26 agreement on this, were people who knew that they would not be

1 re-employed for personal reasons known to them. I think
2 several have not finished their work for the advanced degrees
3 which is expected a person to do, and when they knew that was
4 the condition they didn't expect to be re-employed.

5 Now, there were two men who were not re-employed,
6 and I think those I've covered in some detail there - what
7 I know about it. Now, first I heard on April the 1st, when
8 a committee was asked to come to Sacramento, I think there
9 were eight people came to Sacramento from Long Beach repre-
10 senting these two men.

11 MR. ELLIOTT: April 1 of this year?

12 DR. VASCHE: April 1, 1958. That happened during
13 the six months, Mr. Elliott. At that time Mr. Kearney and I
14 sat with this committee, and they presented a number of things
15 which they felt presented problems to the faculty and included
16 were the employment of these two men.

17 CHAIRMAN GEDDES: Now, at this time, could I ask
18 you, do you have any record of who these people were?

19 DR. VASCHE: Yes, these men were the two men you
20 mentioned earlier; one is Clyde Martin and the other is Frank
21 Black.

22 CHAIRMAN GEDDES: Just two men came?

23 DR. VASCHE: No, those men did not come. The men
24 who came to Sacramento were representatives of the faculty
25 group.

26 CHAIRMAN GEDDES: You have then, knowledge of who

1 these men were?

2 DR. VASCHE: I think I would have. If you would
3 allow me, I'd like to check through. I have quite a stack of
4 notes and I'd like to check through. I believe I have the
5 sheet with those notes on it. If I could finish this chronol-
6 ogy then I would be pleased to provide that information. I
7 will have to go through my materials in my briefcase and locate
8 that.

9 CHAIRMAN GEDDES: That's all right.

10 DR. VASCHE: They had the opportunity to appear in
11 Sacramento. Then, on a subsequent date, May the 10th, the
12 faculty group, many of these same people -- on April 23rd I
13 spent a full day at Long Beach State College, and at that
14 time met with the committee representing the faculty associa-
15 tion, the association of state college instructors and with a
16 second group of faculty that were not members of the A.C.S.C.I.,
17 had an opportunity to meet during the luncheon in the after-
18 noon with the President and his Council, and then with repre-
19 sentatives of members of the press. And then I concluded my
20 day with a rather lengthy discussion with the man who at that
21 time was Chairman of the Division of Education.

22 CHAIRMAN GEDDES: Could you mention his name, please?

23 DR. VASCHE: His name is Dr. Willard Van Dyke. He
24 is at the meeting today. I believe on May the 10th the
25 committee of the faculty which had communicated and sent their
26 letter to the State Board of Education, came to the State

1 Board of Education meeting at Fresno. At that same meeting
2 members of the President's Council were also present.

3 On May the 14th, then, the Board gave the assignment
4 for this report to be prepared, this report Five. I again
5 went to Long Beach State College and spent another full day
6 there and met for nearly two hours with the Executive Committee
7 of the newly elected Faculty Council. I also met with the
8 President's Council. I later had the opportunity to meet for
9 the first time Professors Martin and Black, and I concluded my
10 afternoon with a conference with the College Promotion and
11 Tenure Committee, which was the official college committee
12 for working and making recommendations to the President.

13 And then on May 23, the President provided our office
14 at our request a statement summarizing administrative actions
15 relating to Professor Black and Professor Martin.

16 On June the 6th I came down to Los Angeles again and
17 had an opportunity to discuss these matters with former
18 members of the faculty, and an opportunity also at that day
19 to have lunch with Mr. Grant - Assemblyman Grant - and I think
20 generally we tried during the early spring to review prepar-
21 atory to the preparation of this report, to discuss these
22 matters with all possible people who might be in a position
23 to be of help in trying to work out what I think is a very
24 complex and involved problem, one which I think has very fine
25 people involved on all sides of the question.

26 Now, on page 5 of the report I have a rather

1 extensive statement on the Martin-Black cases, what the
2 President wrote to me, what I found in my visit with Mr. Van
3 Dyke and with other members of the Division of Education, and
4 I've tried to be very fair in this presentation - in the
5 report to our Board - I tried to be very fair in this thing
6 to all parties concerned in this problem. And I think the
7 general procedure appears on -- well, there's a recommendation --
8 I think before that, it should be pointed out, I think that
9 there obviously were some very weak points in the administra-
10 tion of this personnel program as related to these two cases.
11 I think that probably doing it again, at least I've had this
12 indication, and they can speak for themselves later today,
13 members of the administration and other members of the faculty,
14 if this were being the procedure again, there would be certain
15 improvements in procedure. I think that could be brought out
16 at the proper time of testimony and it appears in the report.

17 Then we made two recommendations to the Board at
18 that time. Those appear on page 6, and I won't read those
19 recommendations to you unless you want me to do that. Then
20 we reported to our Board, problems in administration-faculty
21 relations. This is not just true of Long Beach State College.
22 I think it's true in institutions throughout this state and
23 throughout this country. That is the difficulty when a
24 college starts to grow, pretty soon it grows large and it
25 becomes more difficult for people to communicate and to under-
26 stand each other and for committees to be able to sit down

1 and transmit their findings to other aspects of the college.

2 And so we proposed that the President and the
3 faculty together and our Deans together, that they would work
4 toward development of a sound program in administration-
5 faculty relations and cooperation through committees and
6 various other assignments which could be shared.

7 Then there are other sections or other recommenda-
8 tions which I will not summarize. I think they are in the
9 document, if you want to check. As I said, we spent hundreds
10 of hours on this thing, and I don't want to take too much
11 time at the outset, or I would go back and review those.

12 Then the State Board of Education, at the bottom of
13 page 3 of the letter to you, Mr. Geddes, the Committee, the
14 State Board of Education, took this report, concurred in the
15 recommendations and then in addition, modified one recommenda-
16 tion. I don't believe without going through I could check
17 the number, but this is what the Board said. This appeared
18 at the bottom of page 3 in my letter to you today: (Reading)

19 "The State Board of Education employ a professional
20 survey group composed of experts in the field of organization
21 and administration of higher education.

22 "This survey team shall come from outside the
23 California State College system and from outside the California
24 State Department of Education.

25 "Their charge shall be two-fold:

26 "To survey and define job descriptions, define

1 responsibilities, and make recommendations regarding all admin-
2 istrative positions and the administrative structure of the
3 California State Colleges."

4 Now, that study -- I was in the hospital and at the
5 time this report was given to the Board, the State Board of
6 Education did -- had been given earlier, but did not recall --
7 that the answer to point one is pretty well covered in docu-
8 ment 828. However, the Board's action is being followed
9 through and the report will be given to the Board subsequently.

10 And then secondly, and I think pertinent for this
11 point, the Board asked that a survey be made of faculty and
12 administration relationships in all state colleges, especially
13 existing committee structures, and make recommendations to the
14 State Board of Education for any changes and standardization
15 of procedures which they may deem necessary and desirable.

16 And I think then as Item 7 in my letter to you
17 today, the State College Presidents took this recommendation
18 on October 22, prepared a report which was submitted to the
19 State Board of Education and that appears as Attachment Number
20 6.

21 The point I am getting at is, I think that our Board
22 wants our state college faculties and our state college admin-
23 istrators to work in close cooperation, not to have the
24 faculty dominating nor to have the administration dominating --
25 this cooperative sitting down together, working on these joint
26 matters of joint interest, of which appointment and tenure

1 and promotion and all those things are a part.

2 In addition, our State Board of Education has a
3 study committee within its own structure working on the program
4 of policies of the Board in relationship to the growth of the
5 colleges, and on December the 15th, I believe it is, in
6 Sacramento there is to be a meeting of our own State Board
7 Committee with representatives of the state college faculties
8 for the purpose of discussing the general problems which
9 state college faculties and administration have in the fields
10 of joint relationship. And I think in that regard the
11 Committee should know that this work is under way.

12 I think just a word about the problem of the appoint-
13 ment and promotion of college faculty. A member of your
14 Committee, Mr. Hanna, requested an opinion from the Attorney
15 General, and that opinion appears in this report as Attach-
16 ment Number 7. The report says that the State Board of
17 Education has no legal authority to review, reverse, nor
18 direct the action of a president of a state college refusing,
19 in his discretion, to recommend a probationary academic teach-
20 ing or administrative employee for reappointment, and as I
21 said at the outset of this presentation, the law of the State
22 of California decided that the president -- or the Attorney
23 General has said that the State Board of Education has no
24 authority to, in terms of asking review, reversing or direct-
25 ing the action of the president. And I think the second part
26 dealing with deans, and so on, the status of deans, permanent

1 status, that that is not particularly pertinent in this part
2 of the discussion.

3 CHAIRMAN GEDDES: When was that decision rendered?

4 DR. VASCHE: That decision, Mr. Geddes, was rendered
5 on September 3, 1958. Mr. Hanna had asked for the opinion
6 shortly before that. It's substantiated with a rather long
7 analysis that I think is in your minutes, and I think Mr.
8 Kearney is prepared if you would like to have any elaboration
9 on it. I think that if we look at the problem of appointment
10 of faculty, there's only one thing I want to present to you,
11 and that is the fact that we have in our state colleges nearly
12 50,000 full-time students this year, and by 1970 the
13 Department of Finance says that we will have in excess of
14 130,000. We employed this year, and I think as Attachment 8
15 we have a statement on the number of people -- we employed this
16 year in our state colleges more than 1,000 in academic positions;
17 some 800 or 900 of those were full-time and the remaining
18 number of people were part-time.

19 And, as I said, I think in looking ahead to changes
20 in procedures, I think all of us would welcome anything to
21 make our procedures better. I think we'd welcome that. On
22 the other hand, I think we are also concerned about the admin-
23 istration of these programs to where setting up procedures
24 might create an almost impossible situation in relationship
25 to this.

26 Tenure in the state colleges is after three years of

1 service; in the University of California, if the Committee
2 might like to know, tenure is granted to people of Associate
3 Professor rank and higher. It's given to University employees
4 after seven years of service, and at the end of the fifth
5 year, according to word of our Director, the President of our
6 University, just a few days ago, the faculty of the University
7 of California exerts a very rigid program of evaluation of
8 people at the end of the fifth year. Our state college program
9 gives tenure after three years; the University program gives
10 tenure after ten years. There is a provision, I think, for
11 more tenure for people in the lower ranks that work for
12 ten years and remain on the faculty, but those do not have
13 the status which usual tenure has. I think that our tenure
14 program is far better than any tenure program in a private
15 college or university, and I think better than any system of
16 public supported higher institution that I know about in the
17 country so we do have a strong program at the present time
18 and I think the Committee needs to know that.

19 Now, I think the only final point is, I think the
20 College at Long Beach has made what I think are significant
21 strides in a Faculty Council and a council organization has
22 been developed. It's in the early stages of development.
23 We feel that both the faculty and administration have joint
24 responsibilities and I think this has to be shared. It
25 can't be one on one side and one on the other. I think it
26 has to be a mutual process, and it's the desire of the State

1 Board of Education and of our Director and the rest of us to
2 see that that program moves ahead in an orderly process with
3 full cooperation. I think the important point in this whole
4 business is that Long Beach State College is dedicated to
5 providing educational opportunity of the very highest type
6 for very fine young men and women of this state. Every
7 faculty member, I think, has a great responsibility as does
8 every member of the administration, to dedicate himself to
9 provide the best of his talents, his leadership, to the
10 education and well-being of the students. Our teachers are
11 employed, and our administrators too, not to give individual
12 jobs but rather to provide the best kind of leadership and
13 educational opportunity for the students. This means that
14 each member of the faculty at Long Beach State College must
15 seek out ways that he may work in close harmony and coopera-
16 tion with all of his associates. Obviously, in this institu-
17 tion, as in all others, there is need for much improvement
18 and I think that by working along, those improvements will
19 come.

20 It is easy to make fast judgments, for the casual
21 observer to reach conclusions. Actually, our state colleges
22 are very complex institutions surpassing in program, in size,
23 and in resources a large number of state universities through-
24 out this country.

25 It would seem imperative, therefore, that all
26 parties at Long Beach State College dedicate themselves to

1 sit down around the table together, to work out the internal
2 problems which can only hamper, in the long run, the oppor-
3 tunities and services for the students. It is mandatory, in
4 my judgment, and the judgment of our Board, that progress be
5 made in this regard this year.

6 CHAIRMAN GEDDES: Thank you. Now, going back to this
7 April 1 thing, you were present when this group of eight went
8 to Sacramento and you could and probably will give us the
9 names of those who appeared before you?

10 DR. VASCHE: Yes, I could. I make it a practice
11 when groups of that kind come in not to write down extensive
12 notes. I did on a sheet of yellow paper -- I brought my
13 files -- and if I don't have it I can give it to you later.

14 CHAIRMAN GEDDES: Would you recognize among those
15 who called on you, those who have continued the fight, we'll
16 say, for the reinstatement of Dr. Black and Mr. Martin?

17 DR. VASCHE: Yes, I think basically the men who are
18 the same men I've met with on two other occasions at Long
19 Beach and on a number of occasions -- at least three occasions --
20 appeared before the State Board of Education.

21 CHAIRMAN GEDDES: Now, if you didn't take very ex-
22 tensive notes, you'll have to call on your memory for this.
23 To the best of your recollection at the April 1 meeting, did
24 you go into an interpretation of that Section of the Code
25 which provides that only on the recommendation of the
26 President shall the Board reappoint members of the faculty?

1 DR. VASCHE: If I have your question correctly, you
2 want to know if we went into that at the meeting?

3 CHAIRMAN GEDDES: Was it mentioned at that meeting?

4 DR. VASCHE: Yes, I am sure it was mentioned at that
5 meeting. It's been mentioned at every other meeting, and I
6 think there is a general agreement on the part of all parties
7 that the present law provides that the President is the final
8 authority, and in making this recommendation I think there is
9 no disagreement on the part of any, at least in any meetings
10 I was in on that point.

11 CHAIRMAN GEDDES: Well, that is the point that I
12 want to make. Then, what is your feeling as to the continued
13 activity for the reinstatement of these two gentlemen, or is
14 it to clarify the situation and lead perhaps to a change in
15 the law relating to tenure?

16 DR. VASCHE: My feeling is, I think, both. I think
17 there are those in perhaps other state colleges -- and I
18 am just thinking this, I have no formal reason for so
19 doing except things like I occasionally hear and so forth --
20 that there are those people who would like to have changes
21 made in the appointment procedure.

22 CHAIRMAN GEDDES: Mr. Marshall, do you have
23 questions?

24 MR. MARSHALL: Going back to the 1952 report, was
25 the Department of Education at that time in agreement with
26 this report of its appointees? As I understand it, this

1 committee was appointed by the Superintendent of Public
2 Instruction to investigate the situation. Now, was the
3 report back to the Superintendent agreed to by the
4 Superintendent and the Department?

5 DR. VASCHE: Mr. Marshall, in order to have this
6 record absolutely right, I took time this past week to pull
7 out not just the report of 1952 but also the official pre-
8 sentation to the Board and that appears as Item Number 3, and
9 Mr. Simpson in that report discusses on the 1st page and the
10 2nd page the information, his conclusions, and the State
11 Board of Education then acted in that regard and the action
12 of the Board was seven votes in favor of the action recom-
13 mended and no votes against -- the one vote, one member not
14 voting and two members being absent.

15 MR. MARSHALL: Well, reading one of the items under
16 conclusions of the 1952 report on page 6, the relationships
17 between the President and the Faculty of the College are not
18 conducted in such a way as to establish and maintain neces-
19 sary rapport. The President has not utilized effectively
20 the faculty committees which have been established, particular-
21 ly the Faculty Council to effect a full and complete dis-
22 cussion of problems under the jurisdiction of the committee
23 before making decisions with respect to those problems. Now,
24 in effect, doesn't your recommendations contained in the
25 report to the Board dated June the 24th, submitted at their
26 July 15 Board meeting, say the same thing?

1 DR. VASCHE: Yes, I think that says the same thing.
2 I think that's a basic principle of administration. That at
3 least should be the goal and the objective of every organi-
4 zation, be it education or otherwise, where people are con-
5 cerned. It's our policy, I think, for the college faculty
6 to work with the administration jointly on a friendly, co-
7 operative basis. That's the way we've made our progress I
8 think in nearly every case, and the way we'll continue to
9 make progress ahead.

10 MR. MARSHALL: On the recommendations on page 11,
11 No. 2 --

12 DR. VASCHE: Which report is this now?

13 MR. MARSHALL: This is the 1952 report. (Continuing)
14 -- this committee recommended that the Director of Education
15 give to the President of the College in writing a precise
16 statement of relationships which he and the administrative
17 staff would be expected to maintain with the faculty and that
18 the Director of Education require periodic reports from the
19 President during the school years 1952-53 on the progress
20 made in establishing such relationships. Do you have a copy
21 of the precise statement?

22 DR. VASCHE: Yes, the precise statement appears, Mr.
23 Marshall, as Attachment No. 4 which is the delineation of the
24 areas in which the College administration should work. There
25 are 25 points in that program. That was an assignment that
26 was given from the State Board of Education through the

1 Director to the Associate Superintendent. That happened to be
2 my responsibility to work with the College on that. Subsequent
3 to it, and I thought in the document I pointed out -- and I
4 think that since that time I don't believe a week has passed
5 but what I have not either seen or talked on the telephone
6 with the President or one of his administrative officers.
7 That same thing goes for all the other state colleges.

8 MR. MARSHALL: In your opinion did the President at
9 Long Beach carry out the recommendations?

10 DR. VASCHE: I think, yes. There have been very
11 careful minutes kept of all of the faculty actions at the
12 College, of all the committee actions. Those are issued
13 periodically and I think each year -- I know each year there's
14 a full summary made of the work of the committee. Now, I
15 think I would like to however, make this point very clear.
16 It is difficult when you work with institutions and people
17 as your Committee does and as we do in our work, to be able
18 to transmit from a report a true feeling or an exact feeling
19 of just what happened within the committee or the council or
20 the activity. We receive the minutes and we have on
21 occasions met with Long Beach College people on their home
22 ground, but the on-going day-by-day work of the College,
23 that's the responsibility which we delegate, and I think
24 wisely so, to the local college president and faculty to
25 carry out.

26 MR. MARSHALL: Well, now in 1952 it was recommended

1 and the President was instructed, was he not, to make full
2 use of the Faculty Council and the committees that have been
3 set up?

4 DR. VASCHE: Yes, I will answer the question that
5 I can to the best of my ability today. I would like to say
6 this, however, that I sat in a planning meeting with three of
7 our state college presidents at San Diego not long ago.
8 President Love, President McDonald and President Kendall. We
9 talked about this problem of carrying out the Board's recom-
10 mendation for a study of administrative faculty relations.
11 There are no two state colleges which are organized and oper-
12 ated in just the same way in this regard, there's rather wide
13 variation, and the reasons for which -- I could go into
14 detail on it but I won't unless you want me to do that.

15 Now, the Long Beach State College started out down
16 there in '52 or '53 in a very small little building. The
17 whole building -- administration and everything else -- was
18 in a building as small as this one room here. People sat
19 around little tables together and did their planning, and I
20 think the committees operated on that basis.

21 MR. MARSHALL: Well, I don't think you're answering
22 the question, at least I'm not getting it clear. These
23 committees recommended in 1952, now, as I understand it, the
24 Faculty Council and some more faculty committees that are
25 now and have been since 1952?

26 DR. VASCHE: The faculty committees as I said,

1 we've had periodic reports -- shortly after I took office in
2 September, 1951, we've had periodic reports several times a
3 year and the reports enumerated the committee work, and
4 there's a letter -- dozens of the committees work on every
5 matter in the organizational program of the College.

6 MR. MARSHALL: Is there any comparison between what
7 the situation was in Long Beach in 1952 and what the situation
8 is as you found it this year?

9 DR. VASCHE: Yes, I think Long Beach State College
10 in 1952 was very small. It was an upper division college
11 located in temporary buildings -- having faculty of, I don't
12 know, I can't give you the number -- I suppose there were
13 about 50 people; perhaps less than that.

14 MR. MARSHALL: I am talking about the faculty re-
15 lationship with the administration as mentioned in the 1952
16 report as you found them this year.

17 DR. VASCHE: All right. What things I know about
18 the faculty-administration relations from the standpoint of
19 faculty have come from about -- I think the largest group in
20 my April visit there was not over 20 people, 22 at the most.
21 We met with the Faculty Council. I have had another group
22 of 20 people or more who met with me on one visit who are
23 not in agreement with what the first group said at all.

24 Now, the impressions I have, I think, of all of
25 the people -- I presume the teachers teach at that college
26 because they want to do so. They are in that career they

1 love. They want to be successful. They want to enjoy their
2 work. They want to make a contribution, and I think there
3 are obvious disagreements -- I don't think from our office
4 in Sacramento; I don't think that the Legislature or anybody
5 is going to work that out for them except the people concerned
6 themselves.

7 MR. HANNA: Mr. Chairman.

8 CHAIRMAN GEDDES: Yes, Mr. Hanna.

9 MR. HANNA: I think maybe I can clear up what I
10 think Mr. Marshall is trying to get at. If you'll turn to
11 page 3 of the first part of your report there, in the third
12 paragraph, talking about the academic year following the '52
13 report --

14 DR. VASCHE: Oh yes, yes.

15 MR. HANNA: (Continuing) -- The academic year,
16 '53-54, and in paragraph 3 we find the language: (Reading)

17 "At the same time there was clear indication that
18 definite improvements were being made in the development of a
19 sound, working structure through which faculty, non-academic
20 staff and administration could work cooperatively in the best
21 interests of the College."

22 Now, I think the Committee would be interested to
23 hear more specifically what those improvements in develop-
24 ments were that you felt at that time would provide the sound
25 working structure. Could you enlarge upon that?

26 DR. VASCHE: Yes, I will give you one specific. We

1 had the criticism made in 1952, and there was quite a little
2 mail that transpired on this 1952 committee -- and found the
3 criticism that the committees were dominated by administration.
4 Now, it's been a matter of discussion --

5 MR. HANNA: When did you find that out?

6 DR. VASCHE: Well, I found that out when I came back
7 to assume this work I'm now in -- in 1952. And that was one
8 of the criticisms. And I think our suggestions down the line
9 have been always to this and other colleges, that the commit-
10 tees should be academic committees representing the best
11 resources of the college and not be dominated by faculty or
12 dominated by administration nor by Sacramento nor by anyone
13 else except the people on the committee.

14 MR. HANNA: Do you mean to say then that following
15 in 1953 and in '54 that you found that those committees were
16 more academic?

17 DR. VASCHE: Yes, very definitely.

18 MR. HANNA: And were more effective?

19 DR. VASCHE: Found that those were more effective,
20 and as I enumerated in the paragraph preceeding, we had the
21 best man we could find, who was Dean of the School of
22 Education at Stanford University at that time -- was a
23 visiting Professor at the College -- and I know during the
24 year I made a number of visits down there and the Director
25 of Education was on the campus a number of times during the
26 year. We had frequent correspondence and opportunities to

1 visit with the President of the College, and the information
2 presented to us was that the committee structure had been
3 completely reviewed and that the committees were organized on
4 a broader basis, so that they were more representative of the
5 faculty.

6 MR. HANNA: Who made those reports to you? Was
7 that made to you by the administration or was it made to you
8 by the faculty?

9 DR. VASCHE: No, this is the way the President of
10 the College is appointed. We have these institutions up and
11 down California. The President normally is not the man to
12 whom formal communications go out and reports come back. It's
13 very difficult for us to develop machinery where we can, from
14 Sacramento, correspond with committees of the faculty -- I
15 suppose there are 50 or 100 committees on every campus at the
16 present time doing jobs of one kind or another -- so that
17 the general reactions we usually obtain through the college
18 administration which operates as the man responsible under
19 the law for heading up the institution. The laws of the
20 state provide that.

21 MR. HANNA: In the '52 report that yours seems to
22 follow up on, did it make a definite recommendation as to the
23 Long Beach State College and the activities of the Director
24 of Education in the State of California in relation to the
25 College?

26 DR. VASCHE: I don't know. I don't quite understand

1 your point. I think the laws of the state provide that the
2 college president is administrative head of the college. This
3 Report 828 which you have here, this administrative staffing
4 report which is Attachment 1, spells out in detail the responsi-
5 bilities of the president, the role of authority, the role of
6 the Board, and all those other things. That's all part of
7 this record. That's the way we try to operate these insti-
8 tutions.

9 MR. HANNA: Well, in paragraph number 4 of the
10 report, it recommends that the Director of Education give a
11 close and continuing attention to the affairs of the Long
12 Beach State College during the school years of '52-53 and
13 take appropriate action to effect the elimination of all
14 factors which hinder administrative and academic restoration
15 of the College. Now, what appropriate action was taken?

16 DR. VASCHE: Well, I think appropriate action is
17 exemplified in the accreditation which the committee comes
18 into the College and reviews every five years -- or less
19 than that -- if it's not accepted. Long Beach State College
20 has full accreditation; the College Faculty is working with
21 the President -- the President doesn't do this alone --
22 planning what is probably the finest building program of
23 a college in this country. During this period the great growth
24 of the educational program of the College broadened. The
25 people certainly didn't have any trouble in hiring people
26 to come from throughout the United States to accept teaching

1 positions in the College. I think those are indications of
2 the way we have worked, the results the College shows as
3 against what perhaps one teacher or one administrator might
4 feel personally or a small group of people or a moderate-sized
5 group of people, and then the Long Beach group certainly has
6 been strong in its support. We've sat down with the Advisory
7 Board of the College and discussed those things you see.

8 MR. HANNA: I realize about the growth. I think what
9 we are trying to do is focus our attention to the problem --

10 DR. VASCHE: I appreciate that.

11 MR. HANNA: (Continuing) -- No, I mean that seriously.

12 DR. VASCHE: That's all right.

13 MR. HANNA: I appreciate and I know that the problem
14 doesn't separate itself from the growth because the more
15 growth you have the more difficulty you have in solving all
16 problems.

17 DR. VASCHE: Well, I would grant -- pardon me, if
18 you will read the report that we have submitted to the Board
19 in July, what we said there, I think concurs wholly with what
20 you said. There are some things critical of some of the steps
21 taken in recent months in certain regards to the College, I
22 think we grant that and I think that's a matter of public
23 record now.

24 MR. HANNA: Well, I think to make it clear, what
25 bothers me is that the report seemed in 1952 to point out that
26 this problem existed. The statement on page 3 seemed to

1 indicate that things were being done to cure it, and yet the
2 very recommendations that are a part of this last report of
3 June 24, 1958, indicate that the same problems are exactly
4 there and further recommendations are being made to solve the
5 same problems, so it appears that there's some kind of a
6 conflict. Maybe I'm missing the point, but it just seems
7 to me that there's a conflict between the problem being
8 reported in '52, a solution being reported in '53-54, and the
9 problem being right back on the scene in '55 and '56, and
10 reported in this '58 report.

11 DR. VASCHE: Well, in my third paragraph on page
12 3, I didn't say that the system was ideal. I said improve-
13 ments were being made; improvements were made. In 1953-
14 54, definite improvements were made. I think all of our
15 colleges at this point, every one of them, every state college
16 at the present time has a faculty committee working with the
17 administration. They have a two-fold job at the present time;
18 one is to have to work together, to sit down together, a
19 committee representing the administration with a committee
20 named by the faculty, to try to pick out what they feel to
21 be strong points in their present working relationships.
22 And then to point out at the same time those areas in which
23 they feel within their college organization they must work
24 toward improving. And that goes for large state colleges,
25 Cal Poly, Pomona, San Diego, San Francisco -- our people
26 are doing that. That's what the program was presented for.

1 Our President Dumke was doing it. This must be an on-going
2 program because our growth is such that we are going to have
3 to utilize all our resources in close cooperation if we are
4 to be able to meet the needs ahead of us.

5 MR. HANNA: Well, just to give you a little rest on
6 this problem, Mr. Chairman, I'd like to ask that the attorney,
7 Mr. Kearney, come up and join Mr. Vasche because there's one
8 other problem that's referred to here that I'd like to clarify.

9 DR. VASCHE: Very good. Mr. Kearney is over here,
10 yes.

11 CHAIRMAN GEDDES: Do you want him sworn?

12 MR. HANNA: No, I just want to clarify one thing on
13 this reference that he made to the report by the Attorney
14 General, just a quick thing, Mr. Chairman, that I think can
15 be contrasted -- I think was pointed out that might be missed.

16 CHAIRMAN GEDDES: You needn't be sworn; just a
17 legal interpretation?

18 MR. HANNA: Yes, just a legal interpretation. I
19 think in referring to the Code Section, we find that there's
20 no authority that the Board of Education or anyone else has
21 to reverse the president's decision to refuse to recommend
22 reappointment; that there is, is there not, Mr. Kearney, under
23 Education Code Section 2396.3 provisions wherein within any
24 particular year of probational employment there is dismissal
25 or demotion for cause that such an employee could make an
26 appeal. Is that correct?

1 MR. KEARNEY: Well, if non-tenured employee were to
2 be dismissed during the academic year before his contract
3 were to run out, then he would have the right of appeal before
4 the Personnel Board, somewhat similar to a civil service
5 employee.

6 MR. HANNA: Well, what I wanted to point out, isn't
7 it true, Mr. Kearney, that this Section could be robbed of
8 all of its significance if the president should choose to wait
9 until the end of the academic year and just fail to reappoint
10 rather than to dismiss for cause so that in the first instance
11 had he dismissed for cause, because it would have been
12 appealed, but should he wait until the end of the academic year
13 and just let him drop there would be no appeal and therefore
14 in a sense there is a method here by which the provisions that
15 are given under one Section can be definitely submarined in
16 the other Section? Is this a correct analysis? I mean,
17 assuming such a thing would be done?

18 MR. KEARNEY: Well, yes, it could be. I would take
19 a different approach. I believe that the Legislature intended
20 that the probationary teachers or instructors should be
21 hired for a one year period without any guarantee of being
22 hired for a second or a third and that their only guarantee
23 was that they should be allowed to finish out the one
24 academic year until such time that they had been hired for
25 the fourth year, in which case they would be tenured, so
26 that this 2396 setting forth the grounds upon which a

1 temporary or a non-tenured employee may be dismissed during the
2 year and the conditions under which a tenured employee may
3 be dismissed at any time, do not apply to the non-tenured
4 teacher beyond his right to serve one year.

5 MR. HANNA: Well, I understand that, but I just
6 want the Committee to see that there was also guaranteed to
7 the non-tenured teacher an appeal if he was dismissed for
8 cause.

9 MR. KEARNEY: That's right.

10 MR. HANNA: And it does seem significant to me that
11 supposing a man could be dismissed for cause in March where
12 he would have an appeal, if there's just a wait until, say,
13 June or July or August or September, whenever his period
14 runs out, he may then be dropped and lose what would he was
15 seemingly guaranteed, which was an appeal for dismissal for
16 cause. That's all I wanted to point out, and I do believe
17 that that was a guarantee that was put in here which could
18 significantly seem to me to be lost.

19 CHAIRMAN GEDDES: Could I ask this question, just to
20 clarify it in my own mind? Isn't it a fact that you have a
21 contract for one year and that the contract is renewed at a
22 certain time prior to the end of the year, and if you dis-
23 charge for cause there is a breaching of the contract, there-
24 fore there is the right, if it is not for cause but because
25 of lack of satisfying whoever has the responsibility -- it
26 might even be a faculty committee - your year of employment

1 still runs but you do not get the renewal of contract for an
2 additional year? I think that makes it clear.

3 MR. HANNA: That's possibly true. There are the two
4 legal sides.

5 MR. KEARNEY: My point is that the person who has
6 taught only one year is in very much the same position as
7 the person who has not taught at all except that the person
8 who has a one year contract is entitled by notice by April 15
9 that he is not to be re-employed.

10 CHAIRMAN GEDDES: Mr. Marshall has some further
11 matter.

12 MR. MARSHALL: In your subpena, Dr. Vasche, you
13 were asked to bring all your records, files, papers and letters
14 concerning Clyde Martin and Frank Black. Have you brought
15 those?

16 DR. VASCHE: Yes, I have material on that.

17 MR. MARSHALL: Could we just have those for the
18 records, Dr. Vasche?

19 VICE CHAIRMAN PORTER: Mr. Marshall, do you wish
20 these submitted into the record?

21 MR. MARSHALL: Yes.

22 VICE CHAIRMAN PORTER: These then will be numbered
23 Exhibit 2.

24 MR. MARSHALL: Just being real practical here for
25 a minute, Dr. Vasche, don't you think that if all of the
26 recommendations made in 1952 has been put into effect in good

1 faith that we wouldn't have had this trouble in 1958?

2 DR. VASCHE: Well, that of course is a very leading
3 question. The more you are in this business though, the more
4 it reveals what a vast, challenging enterprise our state
5 colleges are. I hesitate very much to set myself as judge
6 and jury without having a very, very extensive opportunity to
7 look at all aspects of the problem and I don't think anybody
8 here would want it any other way. I've been very patient, I
9 think, in giving my time from other matters that perhaps put
10 along-side are much more important for state college teachers
11 than this, but we want all of our teachers and all of our
12 administrators to work in an atmosphere where there can be
13 opportunity to render service of the highest type where a
14 fellow really likes the job and likes to work with other
15 people. I think it is obvious, and I am serious about this,
16 if we had done this in 1952 this wouldn't have happened in
17 1958, but we're not sure that that necessarily would have been
18 true.

19 MR. GAFFNEY: Mr. Chairman.

20 VICE CHAIRMAN PORTER: Mr. Gaffney.

21 MR. GAFFNEY: Dr. Vasche said that it is the desire
22 of the State Board to promote tranquil relationships with the
23 state colleges between the faculty and the president and the
24 Director of Education - Division of Education - who
25 possibly have exercised the authority under the president to
26 promote tranquil relations. I suppose that would go for the

1 whole teaching profession, too, that philosophy?

2 DR. VASCHE: Yes.

3 MR. GAFFNEY: If that's so, do you mean that you
4 condone the system where a man or woman can serve the third
5 academic year in fulfillment of that third academic year and
6 then on the next morning be told that they are not wanted and
7 then they go on to another college and go through that same
8 monkey-business again, and no sense of security or happiness
9 for that person throughout their lifetime? Is that what you
10 are contending?

11 DR. VASCHE: Mr. Gaffney, I think the report which
12 was presented in July does not say that. I did not say that
13 today. I think every faculty member, just as in any business,
14 be it education or anything else, if the faculty member or
15 an employee is not going to be retained, I think he is entitled
16 to the fairest treatment possible. He is entitled to know in
17 advance if there are factors -- I think if people know in
18 advance as an employer, I think the employer has the responsi-
19 bility of his people to treat them to the same courtesy and
20 attention and regard that he would want to be treated himself,
21 and in this case I think everybody admits this, the procedures
22 regarding these two men were not particularly good. There
23 were some weak spots in the process. I think that's very
24 clear. I think all of us understand that. I think it's a
25 matter of public record, at least I've written and made that
26 statement and I think it's been agreed to by all parties in

1 this controversy.

2 MR. GAFFNEY: Dr. Vasche, I think in conclusion all
3 members of the Legislature, particularly in the Education
4 Committee, are coming around to the conclusion that during the
5 first year if a teacher, even in an elementary grade, is not
6 acceptable to the School Board or the Superintendents, they
7 should find it out the first year and not have a girl go
8 along hop-skipping for the rest of four or five years from
9 one district to another, and so on.

10 DR. VASCHE: I would concur personally in that re-
11 gard. I think if a person does not fully cut it the first
12 year he is entitled to be worked with and be given every
13 assistance. If he still can't cut it, then I think the
14 employer has the responsibility of working with the man and
15 trying to give him guidance and help to where he can find
16 himself, if necessary in another spot in another place.

17 MR. GAFFNEY: That's correct -- unless there are
18 charges.

19 MR. PORTER: Mr. Chairman.

20 CHAIRMAN GEDDES: Mr. Porter has a question.

21 MR. PORTER: Yes. Dr. Vasche, you just said in
22 response to a question that the procedures with regard to Dr.
23 Martin and Mr. Black were not particularly good. My question
24 is this: at the time that those procedures were followed,
25 which I assume resulted in their non-reemployment, were there
26 other procedures followed in the case of other teachers at

1 the same time?

2 DR. VASCHE: I think in this case these two men --
3 this is my understanding, now, from information I have and
4 which has been submitted to your Committee and appears in my
5 report -- there was a position taken by certain members of one
6 division of the College where these two men taught, that word
7 was transmitted through the channels of the College over to
8 the level where these things are formally screened and pre-
9 pared for action for the President's approval, and in this
10 process the communication apparently was not good between one
11 level and the other. And I think, that is my understanding,
12 and I think I've had this confirmed by statements from all
13 interested groups that they agree on the facts here, that
14 there was a lack of transmission of what the final action
15 would be back to the Divisional Chairman, with the result
16 that an action was taken which came as somewhat of a surprise
17 to a number of people.

18 MR. PORTER: I have several questions, Mr. Chairman,
19 should I ask them now or later?

20 CHAIRMAN GEDDES: Well, we'd like to take a five
21 minute break and we'll hold Dr. Vasche for cross examination
22 later.

23 And I want to at this time dismiss the subpoena
24 against William Fogg.

25 (Morning Recess Taken.)

26 CHAIRMAN GEDDES: The Committee will be back in

1 order. Dr. Vasche, you have furnished me the names which I
2 asked you for a minute ago. They appear on this paper,
3 do they not?

4 DR. VASCHE: Yes, I believe that is the list as
5 accurately as it was taken. I copied the list I had in my
6 notes from the visit the men made to Sacramento. I may have
7 missed a name or misunderstood.

8 CHAIRMAN GEDDES: That's Kephas A. Kinsman, Vernon
9 A. Metzger, Jesse B. Allen, George L. Appleton, Schultz,
10 Richard H. Wilde, and George Corber. O.K., thank you very
11 much. I will return this to you as soon as we copy it.

12 All right. If you gentlemen will step down, and no
13 subpoenas except that one that I read a few minutes ago are
14 discharged.

15 We'll now call Clyde V. Martin.

16 (Thereupon Dr. Clyde V. Martin was duly and regularly
17 sworn by Chairman Geddes.)

18 CHAIRMAN GEDDES: Identify yourself, please.

19 DR. MARTIN: Clyde V. Martin.

20 CHAIRMAN GEDDES: All right, thank you, Mr. Martin.
21 We have some questions that our Committee Consultant would
22 like to ask you. Mr. Marshall.

23 MR. MARSHALL: Dr. Martin, when were you employed
24 at Long Beach State College?

25 DR. MARTIN: June, 1955.

26 MR. MARSHALL: When were you dismissed?

1 DR. MARTIN: March 25, 1958.

2 MR. MARSHALL: During that time was there any indica-
3 tion from faculty members, department heads, or administrators
4 that your service was unsatisfactory?

5 DR. MARTIN: None.

6 MR. MARSHALL: Were you ever given a reason for your
7 non-retention by the administration?

8 DR. MARTIN: No.

9 MR. MARSHALL: Has anybody ever told you that there
10 were reasons for your dismissal or your non-retention?

11 DR. MARTIN: Anyone?

12 MR. MARSHALL: Well, has there ever been any
13 indication from the administration even though you weren't
14 told that there were reasons in existence for your non-
15 retention?

16 DR. MARTIN: I have had rumors of this, yes sir,
17 from various sources at various times.

18 MR. MARSHALL: Has your department head or any
19 administrator ever reported to you that the clerical staff
20 had complained that you were under the influence of alcohol
21 on the campus?

22 DR. MARTIN: No.

23 MR. MARSHALL: Have you ever been under the influence
24 of alcohol on the campus at Long Beach State College?

25 DR. MARTIN: No.

26 MR. MARSHALL: Were you ever told about disturbing

1 the personnel of your division through invitations to the
2 female members to join you in cocktails?

3 DR. MARTIN: No.

4 MR. MARSHALL: Were you ever abusive to the telephone
5 operator at the State College?

6 DR. MARTIN: No.

7 MR. MARSHALL: Did anyone ever tell you that reports
8 were being circulated that you had created a problem with the
9 office girls?

10 DR. MARTIN: No.

11 MR. MARSHALL: Did you tell smutty and off-color
12 jokes in your classes?

13 DR. MARTIN: No.

14 MR. MARSHALL: Do you consider yourself emotionally
15 stable as far as being an instructor in a state college?

16 DR. MARTIN: Yes.

17 MR. MARSHALL: Did you ever receive any complaints
18 from your department head or from administrators that your
19 classes were devoid of any real content?

20 DR. MARTIN: No.

21 MR. MARSHALL: When did you first hear that you
22 were being dismissed?

23 DR. MARTIN: March 25, 1958.

24 MR. MARSHALL: Previous to this time, did your
25 department head tell you that you would be retained and
26 promoted?

1 DR. MARTIN: May I say, Mr. Marshall, that he is not
2 in a position to state categorically whether this could or
3 would be true.

4 MR. MARSHALL: Did he tell you that he was going to
5 recommend that you be retained?

6 DR. MARTIN: Yes, sir.

7 MR. MARSHALL: Did he tell you he was going to
8 recommend that you be promoted?

9 DR. MARTIN: Yes, sir.

10 MR. MARSHALL: What changed his mind?

11 DR. MARTIN: I don't know.

12 MR. MARSHALL: Then on what date did you receive the
13 official notice?

14 DR. MARTIN: Notice of what?

15 MR. MARSHALL: That you would not be retained.

16 DR. MARTIN: I received verbal notification March
17 25; I received written notification March 26.

18 MR. MARSHALL: What did your rating sheet show that
19 your department had rated you, your college and your department
20 head, what kind of a rating did you get?

21 DR. MARTIN: I only know what Dr. Van Dyke gave as
22 his interpretation of the evaluation which he himself had
23 made. He said it was excellent.

24 MR. MARSHALL: And how many points were involved?
25 I understand that there's some kind of a point system of rating
26 instructors or professors at Long Beach State College?

1 DR. MARTIN: Yes, sir. The number of points was
2 64, but I might say that the precise meaning of these numbers
3 is not altogether clear.

4 MR. MARSHALL: Well, now, what do you mean by that?

5 DR. MARTIN: I mean, for example, that Dr. Van Dyke
6 said that the highest number that an assistant professor
7 could get under his scheme of rating was 60, and falling in
8 that category when I received 63 from him, I in fact in a
9 sense protested, and suggested that I did not want to throw
10 the number system off and that I should be rated back to 60.

11 MR. MARSHALL: In other words, you got the impression
12 from your department head, Professor Van Dyke, that this was
13 indeed a high rating for your class?

14 DR. MARTIN: For my what, sir?

15 MR. MARSHALL: For your class of employment?

16 DR. MARTIN: That's what he said, yes.

17 MR. MARSHALL: That's all the questions I have, Mr.
18 Chairman.

19 CHAIRMAN GEDDES: Further questions from the members
20 of the Committee?

21 MR. BEE: Yes, Mr. Chairman.

22 CHAIRMAN GEDDES: Mr. Bee.

23 MR. BEE: Dr., what is your educational background?

24 DR. MARTIN: Sir, do you mean teaching or degrees
25 or what?

26 MR. BEE: Degrees and teaching, please.

1 DR. MARTIN: Well, I possess a Ph.D., by way of
2 degrees. I taught before coming to Long Beach State College
3 at the University of Southern California and at El Camino
4 College.

5 MR. BEE: Were you ever not granted tenure at
6 El Camino or the University of Southern California?

7 DR. MARTIN: In the case of the University of Southern
8 California, if I may just be brief, this was an element of con-
9 sideration. At El Camino, I left for a better position at
10 Long Beach State College before tenure would have arisen.

11 MR. BEE: Are you employed now as a teacher?

12 DR. MARTIN: I'm teaching part-time at Long Beach
13 City College, and am finishing a volume with a professor friend
14 at Long Beach State College this semester, and will go to
15 Columbia University on a Fellowship next semester, and then
16 will return to a university in the western part of the United
17 States commencing next September.

18 MR. BEE: In your three years at Long Beach State
19 College, did you have any supervision of any type?

20 DR. MARTIN: None.

21 MR. BEE: No one ever came into your classroom and
22 observed your teaching?

23 DR. MARTIN: I'd like to hedge very slightly on that.
24 There is always a possibility, it seems to me, that someone
25 might drop in for a few minutes, particularly when you have a
26 large room with two doors of entrance, but so far as I know

1 this never occurred.

2 MR. BEE: Thank you.

3 MR. HANNA: One question, Mr. Chairman.

4 CHAIRMAN GEDDES: Yes, Mr. Hanna.

5 MR. HANNA: Do you understand at this time that
6 there are any possibilities of your being re-employed by the
7 Long Beach State College through any action by this Committee
8 or by the Legislature or by anyone else?

9 DR. MARTIN: No, I understand that there are no
10 possibilities.

11 MR. HANNA: I think you are more or less in a
12 humpty-dumpty position as far as that is concerned, and I'm
13 sure that we would want to make it clear to you and Mr. Black
14 also.

15 DR. MARTIN: I think it is clear.

16 CHAIRMAN GEDDES: Any further questions?

17 MR. ELLIOTT: Yes, Mr. Chairman.

18 CHAIRMAN GEDDES: Mr. Elliott.

19 MR. ELLIOTT: How long did you teach at Long Beach
20 State College?

21 DR. MARTIN: I commenced in June, 1955, and I left
22 in September 1958.

23 MR. ELLIOTT: Thank you very much.

24 MR. PORTER: Mr. Chairman.

25 CHAIRMAN GEDDES: Mr. Porter.

26 MR. PORTER: Dr. Martin, I didn't want to ask

1 questions that would make it sound like a popularity contest,
2 but I'm curious since I don't know about the rating procedure
3 and the procedure that comes up at the end of the first,
4 second, third and fourth years, and I am curious about another
5 approach to this. Since we have discussed earlier the matter
6 of procedure, how many faculty members are there at the State
7 College?

8 DR. MARTIN: About 300.

9 MR. PORTER: About 300. Now, most or all of them
10 are familiar with your case, are they?

11 DR. MARTIN: I would surmise that a great many are.

12 MR. PORTER: Percentage-wise what would you say
13 their attitude is toward your case or your situation? In other
14 words, do three-fourths of them support the view that you have
15 suffered unjustly?

16 DR. MARTIN: I would have to say this, Mr. Hanna --
17 Mr. Porter, excuse me, if we set aside those who came this
18 year for the first time, and consider only those who were
19 there during what is sometimes called the great purge of 1958,
20 I would think that a very large majority, and I think that the
21 evidence sustains this judgment, believe that there was a
22 severe injustice suffered by myself, by Mr. Black, and others.
23 And I would like to mention by "others" specifically Messrs.
24 Winter and Massey.

25 MR. PORTER: Now, I believe I asked for faculty
26 members, so that might be the classroom professors, and you

1 said there were about 300 faculty members there at the State
2 College. Would we assume that the administration is over and
3 above the 300 number of faculty members?

4 DR. MARTIN: Yes, sir.

5 MR. PORTER: How many personnel might that be?

6 DR. MARTIN: Are we counting all employees who are
7 not academic teaching personnel?

8 MR. PORTER: Well, who could be classified as admin-
9 istration.

10 DR. MARTIN: This is problematic in my opinion. If
11 we mean -- well, sir, I don't know what you mean.

12 MR. PORTER: Well, it's possible I don't know the
13 State College either. I know an administrator is in a
14 secondary school or city college, we'll say, department heads
15 and on up. Now, you have a group of personnel there. Is
16 there any division of opinion among that group of personnel
17 at your college concerning your situation?

18 DR. MARTIN: Meaning perhaps that some might feel
19 that my case is a just one and others an unjust one?

20 MR. PORTER: That's right.

21 DR. MARTIN: I'm sure there was a division of
22 opinion.

23 MR. PORTER: Good. I'll ask another question later
24 on concerning that. Thank you.

25 CHAIRMAN GEDDES: Would you say, sir, that there's
26 been in existence for some time a movement among the faculty

1 members of Long Beach State College to have a greater direction
2 by a body composed of its peers which would pass on the qualifi-
3 cations, make recommendations of one who was about to receive
4 tenure or not to receive it?

5 DR. MARTIN: There is no doubt of this, yes, sir.

6 CHAIRMAN GEDDES: And how long has that been going
7 on?

8 DR. MARTIN: Many years.

9 CHAIRMAN GEDDES: Is it felt to be a need for some-
10 thing of that kind?

11 DR. MARTIN: Many years.

12 CHAIRMAN GEDDES: All right. Unless there are any
13 further questions, thank you very much. Do you have any state-
14 ment on your own behalf you'd like to make?

15 DR. MARTIN: Yes, sir, if I may I would like to read
16 a brief statement for the Committee's consideration.

17 "It is hoped that the following brief statement will
18 assist the Committee in its deliberations.

19 "For some three years commencing in June, 1955, I
20 served as a professor in the Division of Education and
21 Psychology at Long Beach State College. Professor Black,
22 whom I honor both as a friend and as a colleague, joined the
23 Division in January, 1956. On March 25, 1958, the two of us
24 were informed by President Peterson that our reappointment would
25 not be recommended. According to Dr. Simpson's report to the
26 State Board of Education under date of June 24, the President

1 stated in a letter of explanation to Dr. Vasche that he had
2 acted as he did for two reasons: (1) Professor Black and I
3 were believed to be 'probably the weakest teachers among the
4 faculty of the Division,' and (2) because of 'numerous com-
5 plaints which had been received through administrative channels
6 concerning the teaching service of these two teachers.'

7 "The president's action, on the face of it, was
8 plausible enough. The fact that the faculty showed grave con-
9 cern over the event would therefore seem to require explanation.

10 "I now restrict my comments to the Martin component
11 of the so-called 'Martin and Black case.' It is clear that the
12 entire official machinery of the College charged with the
13 responsibility of determining the fitness of academic personnel
14 had recommended me not only for retention and tenure but also
15 for promotion in rank. Under this circumstance it is not dif-
16 ficult to understand why the faculty, particularly those with-
17 out tenure, might view the Martin case with alarm.

18 "The comprehensive and detailed evidence which the
19 Committee has in its hands suggests that I served Long Beach
20 State College faithfully and well. Let us assume, however,
21 that this evidence which I have submitted is specious and mis-
22 leading and that the president's judgment relating to Martin,
23 as stated in his letter to Dr. Vasche, is correct. That is to
24 say, let us take the president at his word. In such a case, I
25 believe the people of the commonwealth of California are
26 entitled to answers by the president to the following three

1 questions: (1) How does the president justify and explain
2 Martin being given satisfactory, and even complementary, letters
3 of recommendation by his division chairman and the executive
4 dean? (2) How does the president justify allowing Martin to
5 teach students year after year without ever discussing with him
6 his weaknesses and shortcomings? (3) When the president's
7 appointee, acting in his official capacity as division chairman,
8 has assured all members of his division in February, 1958, that
9 their positions were secure for the ensuing academic year,
10 does the president consider it ethical, just one month later
11 and without any prior discussion of any kind, to notify Martin
12 that he would not be retained?

13 "On April 14, 1956, the State Council of Education
14 adopted a statement entitled, Administrator Ethics in Personnel
15 Matters. This declaration was subsequently endorsed by the
16 California Association of School Administrators and the
17 Personnel Standards Commission of the California Teachers
18 Association, among others. The State Council asserts that the
19 purpose of the statement is two-fold: (1) to serve 'as a guide
20 to school administrators to aid them in avoiding unethical
21 personnel practices,' and (2) to serve 'as a basis for inter-
22 pretation of specific acts when malpractice is charged.'
23 Kindly allow me to quote four principles from this important
24 document. With respect to the supervision and leadership of
25 his staff, the ethical administrator 'makes sure that observed
26 weaknesses are called to the attention of the employee, and

1 that assistance toward their correction is extended.' He also
2 'reports no negative criticism of any employee without first
3 having discussed this criticism with the employee involved.'
4 With respect to recommending re-employment or dismissal of
5 employees, the ethical administrator 'utilizes evaluation
6 reports as a basis for verbal or written information to the
7 employee regarding reasons for non-reemployment.' He also
8 'recommends that an employee be rehired unless the employee
9 has been notified regarding his weaknesses and has been given
10 time for, and assistance toward their correction.'

11 "It seems evident that the president does not believe
12 the above principles to be applicable or practicable in the
13 instance of Long Beach State College. However, considering the
14 wide acceptance of these principles in the academic life of
15 America and of California itself, the president's reasons for
16 rejecting them might well be of interest.

17 "To conclude, may I convey to the Committee the
18 trepidation I now feel for Long Beach State College? How am
19 I to feel when an official of a distant institution at which
20 I applied for a position expressed positive satisfaction that
21 I had been found unacceptable by President Peterson? How am
22 I to react when my colleagues tell me that various rumors
23 which vilify my character are being spread by key administra-
24 tors of the College? How am I to feel when one of my
25 colleagues is told that his position is in jeopardy because he
26 has been 'writing articles'? And another because he has been

1 'over-preparing for his classes'? What am I to think when my
2 division chairman and the senior professor -- that is to say,
3 the division chairman of this year and the senior professor
4 under him tell me that the worst mistake they made in their
5 long professional lives was to come to Long Beach State
6 College? With great reluctance I am afraid I must agree with
7 a former colleague who resigned last spring out of moral indig-
8 nation and who recently write me as follows: 'It is too bad
9 that what could have been an excellent situation turned out to
10 be a concealed cesspool of hate, deceit, superficiality, and
11 arrogance.'"

12 That is the end of the statement, but I would like,
13 if I may, to make one very brief comment which relates in
14 essence to what Dr. Vasche has just said. It's not meant in
15 rebuttal in any sense, but I think it complements his view
16 in a way which the Committee will appreciate. Dr. Towner of
17 Long Beach State College faculty in the Department of Psychology,
18 told me two days ago that he had seen in the Long Beach Press
19 Telegram, the day before I believe, a statement which was the
20 result, as I understood, of an analysis by the local school
21 officials that mean or average I.Q. of students going to Long
22 Beach State College from the city of Long Beach was 104; the
23 average I.Q. of students going to other colleges from the same
24 area was 114.

25 Now, the reason I mentioned this, it may not be that
26 some of you are too familiar with figures of this sort. I

1 submit to you this is something you ought to go into. I believe
2 the psychological literature is unanimous and has been for
3 many years in stating that if a student on the average does not
4 possess an I.Q of approximately 115 he is not capable of doing
5 acceptable college work. A complementary point to this, for
6 this Committee to consider, I think, would be this: as I under-
7 stand from the press reports Long Beach State College commencing
8 in September, 1958, will have a sister institution of some 15
9 miles away. In addition, as I understand from the press, the
10 University of California has decided to set up an institution
11 about that same distance away. We see from this, I think, that
12 in all conscience every effort should be made at Long Beach
13 State College to see that their academic standards are high,
14 and if this is not done, and in my opinion forthwith, Long
15 Beach State College is going to be the academic dumping ground
16 of that part of California. This would indeed be a tragedy.

17 I think that's all, sir.

18 CHAIRMAN GEDDES: O.K., thank you, sir.

19 MR. PORTER: May I ask one short question?

20 CHAIRMAN GEDDES: Yes.

21 MR. PORTER: Dr., what did you mean by the remark
22 in your paper "over-preparing for a class"?

23 DR. MARTIN: Mr. Porter, this statement was made to
24 a member of the faculty who does not have tenure, and I hesitate
25 to name him, but if I may I will tell you what happened without
26 mentioning his name.

1 MR. PORTER: All right.

2 DR. MARTIN: He is, however, present in the room
3 today.

4 MR. PORTER: I don't care for his name.

5 DR. MARTIN: All right, sir, let me tell you of the
6 case. Last spring Dr. Van Dyke, who was then the division
7 chairman of the division of psychology of which I was a member,
8 that I had told the members of the division, as I understood,
9 that there were members -- I believe he mentioned the number
10 four -- persons in the division whose positions were in some
11 sense at least in jeopardy. He did not name these persons at
12 the meeting.

13 After the meeting it occurred to members of the
14 division that surely he must have reference to those without
15 tenure. Therefore, all or nearly all of those without tenure
16 visited upon Dr. Van Dyke to ask whether he, the person in
17 question, was one of the several. One of these persons, a very
18 good friend of mine, was in this group. He was told that,
19 yes, he was one of the individuals, and when asked what the
20 problem was, according to my informant, he was told that he
21 had been over-preparing for his classes.

22 MR. BEE: Mr. Chairman.

23 CHAIRMAN GEDDES: Mr. Bee.

24 MR. BEE: What do you mean specifically by this?
25 Over-preparing in what way?

26 DR. MARTIN: I did not originate that statement,

1 Mr. Bee. You see, I am merely transmitting to you
2 what this faculty member told me that he had been informed of
3 by the division chairman. I am using the language which the
4 division chairman used to him and as he told it to me.

5 MR. BEE: I know, but if he doesn't have a correct
6 interpretation of what over-preparing means, I don't see how
7 we actually understand what either Dr. Van Dyke meant or the
8 professor involved. I mean, maybe he was spending so much time
9 and his lectures were very poor in making the presentations of
10 his lectures, that he was not getting them across to the
11 students or maybe he had too much written work that was not
12 getting through to them. That's a pretty broad statement to
13 make unless we know exactly what we are talking about by over-
14 preparation.

15 DR. MARTIN: I would suppose, Mr. Bee, that Dr. Van
16 Dyke could enlighten you further with respect to this.

17 CHAIRMAN GEDDES: Well, we will ask him when he
18 comes on the stand.

19 MR. ELLIOTT: Mr. Chairman.

20 CHAIRMAN GEDDES: Mr. Elliott.

21 MR. ELLIOTT: Dr. Martin, did you have any inkling
22 of the reason that the President did not recommend you for re-
23 employment?

24 DR. MARTIN: I find your word "inkling" rather
25 interesting. I have speculations. Many of us have speculations.
26 I could only speculate. Do you want me to speculate?

1 MR. ELLIOTT: Only if you wish to. If you don't
2 wish to, it's up to you, if you think it would be of any value
3 to the Committee.

4 DR. MARTIN: I think I would like to suggest to the
5 Committee what reasoning which I believe the President might
6 employ in his mind with respect to my case, although my specu-
7 lation may not be correct.

8 CHAIRMAN GEDDES: Well, Mr. Elliott, do you feel that
9 this has a bearing as long as we are going to hear from the
10 President? We can ask him that question very directly.

11 MR. ELLIOTT: Perhaps we can ask the President him-
12 self, although, Mr. Geddes, I would like to suggest that pos-
13 sibly there might be a conflict between the speculations of
14 Dr. Martin and the reason taken by the President.

15 CHAIRMAN GEDDES: Well, yes, but one is a speculation --

16 MR. GAFFNEY: Mr. Chairman, I don't think speculation
17 is before this Committee even coming from a Professor of
18 Psychology.

19 CHAIRMAN GEDDES: That's possibly the point. Would
20 you withdraw your question temporarily, Ed, so we can get on
21 with the next thing?

22 MR. ELLIOTT: Yes, I will, and if necessary, if it's
23 felt by Dr. Martin that President Peterson is not being fair
24 to him in his statement, then I think I would like to restate
25 the question; otherwise not.

26 CHAIRMAN GEDDES: Of course, I'll point out that the

1 people that have been speaking for Dr. Martin and Mr. Black
2 have been trying to get a statement for a long time and it
3 hadn't been forthcoming, and I think it's pertinent. The
4 actual statement will be better than speculation.

5 Do you want to leave that copy of your statement so
6 the reporter can get it absolutely correct?

7 DR. MARTIN: I will leave one for every member of the
8 Committee.

9 CHAIRMAN GEDDES: All right, give it to the Sergeant-
10 at-Arms.

11 (Applause)

12 CHAIRMAN GEDDES: Now, ladies and gentlemen this
13 Committee is giving up its Saturday the same as other people.
14 We have a rather serious job to perform. There could be people
15 to cheer their champions on both sides but the Committee will
16 neither be intimidated nor coaxed by any show of excess en-
17 thusiasm, so merely compliment the speakers after you go out
18 quietly and tell them you think they did a good job or lousy
19 job and should have said this or that, but this is strictly a
20 hearing on a delicate subject. While I know it's always nice
21 to get applause, why, let's just use it at the right place.

22 (Recess)

23 (Thereupon Mr. Frank Black was duly and regularly
24 sworn by Chairman Geddes.)

25 CHAIRMAN GEDDES: You may sit down and identify
26 yourself, and Mr. Marshall will ask you a few questions which

1 he has prepared.

2 MR. MARSHALL: When were you employed at Long Beach
3 State College, Mr. Black?

4 MR. BLACK: I received the letter stating I was going
5 to be employed on December 1, 1955, and started work in January,
6 1956.

7 MR. MARSHALL: And when were you given notice of your
8 non-retention?

9 MR. BLACK: I was given oral notice that I'd not be
10 retained on March the 25th and written notice on March the 26th,
11 1958.

12 MR. MARSHALL: Were you given any reasons for your
13 non-retention at either the oral notice or the written notice?

14 MR. BLACK: Yes, I was given a number of reasons for
15 my non-retention at the oral meeting.

16 MR. MARSHALL: Would you review those with us, please?

17 MR. BLACK: I took notes of those and subsequently
18 wrote a letter responding to those items.

19 MR. MARSHALL: Just very briefly here, tell us what
20 some of these reasons were, Mr. Black.

21 MR. BLACK: I'd like to refer to those notes if I
22 may. According to the notes that I took at the time, the first
23 item that was mentioned as to why I was not retained was
24 "ineffective as a teacher," and I pursued that particular
25 statement as being somewhat indefinite and made questions as to
26 just what it meant. That led to further discussion and listings

1 of items.

2 The No. 2 item that was mentioned was "limited area
3 of teaching."

4 3. Not prepared for my classes.

5 4. A vague reference to not having effective teach-
6 ing methods.

7 5. A vague reference to some complaints; and

8 6. A reference was made to the fact that I did not
9 have my doctorate, but this was of minor rather than of major
10 consideration.

11 MR. MARSHALL: Before you received notice of non-
12 retention had your department head or any administrator told
13 you of any reasons why you were not being a good instructor
14 or were not conducting yourself to the standards expected of
15 you at Long Beach State College?

16 MR. BLACK: No one, either administrator or other
17 teacher said anything to this effect.

18 MR. MARSHALL: Just prior to your notice of non-
19 retention, did your department head tell you that he was going
20 to recommend you for retention?

21 MR. BLACK: Yes, he did.

22 MR. MARSHALL: The rating that was done of you by
23 your colleagues in the department and your department head,
24 did this have any indication that you were not up to the
25 standards of the College?

26 MR. BLACK: No, they did not.

1 MR. MARSHALL: What did you get on this rating?

2 MR. BLACK: I believe there were two sets of ratings
3 made, my impression, I believe there were nine full professors
4 in the group made a rating and I never found the exact letter
5 or figure that was given, but they indicated to me that I was
6 in the middle of the assistant professors; a rating made by
7 Dr. Van Dyke who also, as he told Dr. Martin saying 60 was the
8 maximum score, gave me a score of 51 as an assistant professor,
9 and said I was doing fine. He was going to recommend me for
10 retention.

11 MR. MARSHALL: At any time at the College was your
12 personal life discussed with you or your life outside the
13 College which would indicate that you were not fit to be an
14 instructor at the College?

15 MR. BLACK: No.

16 MR. MARSHALL: I read you a statement: "His conduct
17 as a citizen in the community has made him persona non grata
18 with his residential neighborhood. He has brought what appears
19 to be ridiculous civil law suits against his neighbors, all of
20 which have been thrown out by the court with appropriate ad-
21 monishment by the presiding judge." Is this true?

22 MR. BLACK: No.

23 MR. MARSHALL: Have you ever filed a "ridiculous
24 civil law suit" against your neighbors?

25 MR. BLACK: No.

26 MR. MARSHALL: Or any law suit?

1 MR. BLACK: No.

2 MR. MARSHALL: Have you ever had any trouble with
3 your neighbors?

4 MR. BLACK: No -- yes, if you call it trouble. I
5 testified as a witness against a neighbor of ours once who was
6 cursing the children in the neighborhood about six years ago,
7 and he was subsequently put on probation and I believed fined
8 \$50 and costs for disturbing the peace of that neighborhood.
9 I did not file the case. I was a witness only.

10 MR. MARSHALL: This is the only trouble you've ever
11 had with your neighbors to your knowledge at least?

12 MR. BLACK: Yes.

13 MR. MARSHALL: Any reports from the community of
14 Long Beach ever been discussed with you by the administration
15 at Long Beach?

16 MR. BLACK: None at all.

17 MR. MARSHALL: Have you ever heard any inference that
18 there were such reports?

19 MR. BLACK: No.

20 MR. MARSHALL: A statement that your divisional
21 chairman rated you as one of the least effective members of
22 his teaching staff, is that not what you've been telling us
23 here now? You say he told you that you were satisfactory on
24 one hand and evidently on another hand he said you were not
25 effective. Now, has any indication been given to you that he
26 rated you this way?

1 MR. BLACK: No, none at all. In fact, the reverse
2 is true, I believe. On two different occasions he indicated
3 that everyone, I presume I was included in "everyone", in the
4 faculty of the division of education and psychology, were doing
5 satisfactory work and all would be reappointed for the coming
6 year.

7 MR. MARSHALL: Are you presently teaching?

8 MR. BLACK: Yes, I am employed at Santa Ana College
9 as the coordinator of testing program and counselor for the
10 College. I'd like to further add at that point that one of the
11 students in my class is now Assistant Superintendent of Santa
12 Ana Schools, was a member of my class and should know personally
13 and first hand the effectiveness of my teaching, and he is
14 Assistant Superintendent in charge of personnel at Santa Ana
15 City School District, and I am now working in the Santa Ana
16 School District.

17 MR. MARSHALL: Have you ever had any reports to you
18 by your department head or your division head or any of the
19 deans that they had received reports continually that you were
20 confusing to the students and apparently confused yourself in
21 the preparation of subject matter?

22 MR. BLACK: Never.

23 MR. MARSHALL: That's all I have, Mr. Chairman.

24 CHAIRMAN GEDDES: Well, I'd like to go back to one
25 of the statements because its not absolutely clear on the
26 question that was asked of you and that is, are you positive

1 that within the last five years you have not been the bringer
2 of a civil law suit against any person, whether in your
3 neighborhood or not?

4 MR. BLACK: Would you ask that question again? I
5 mean, not you, Mr. Geddes, but Mr. Marshall, would you ask the
6 question slightly different than you have now asked it?

7 CHAIRMAN GEDDES: Would you ask your question again,
8 Mr. Marshall? Do you recall it?

9 MR. BEE: Maybe it was the word ridiculous.

10 MR. MARSHALL: My question was, have you ever filed
11 any civil suits at all against anybody?

12 MR. BLACK: "Ridiculous" I think was the word you
13 used.

14 MR. MARSHALL: Let's take the Chairman's question
15 then as it was posed.

16 CHAIRMAN GEDDES: That's why I asked it, there may
17 be a difference of opinion whether its ridiculous or not. As
18 I understood your answer, you had not filed any ridiculous
19 law suits. Now, had you filed any other civil suits against
20 your neighbors?

21 MR. BLACK: A man who is not quite a neighbor but
22 several blocks away had a son who jumped on one of our son's
23 legs and broke his thigh bone about 1955, and I had the feeling
24 that since this boy had broken our boy's thigh bone and had
25 put him in the hospital for a month strung up and that the
26 expense ran to something like \$2,000, that he should pay at

1 least a portion of that expense, and filed a suit against him.

2 CHAIRMAN GEDDES: Then was that suit terminated with
3 any admonition by the judge such as was referred to by Mr.
4 Marshall that you shouldn't bring that kind of action?

5 MR. BLACK: I lost the suit but I don't know what the
6 way it was terminated is.

7 MR. PORTER: Mr. Chairman.

8 CHAIRMAN GEDDES: Mr. Porter.

9 MR. PORTER: Well, did you lose it or was it thrown
10 out of court?

11 MR. BLACK: No, it was lost. A trial was held and
12 the suit was lost.

13 MR. PORTER: It was tried.

14 CHAIRMAN GEDDES: That was the only suit you know
15 about, so if I said, "all of which was thrown out of court"
16 it would seem to infer that there was more than one suit.

17 MR. BLACK: That's right.

18 CHAIRMAN GEDDES: Thank you very much. Any further
19 questions from members? Let me ask you this. I think a good
20 deal of this difficulty that has arisen at Long Beach State
21 College, and it may well be at other state colleges, is the
22 question of evaluation, the grading of a teacher and instructor
23 and his effectiveness. There seems to be precious little of
24 it from your testimony and others of what's gone on at Long
25 Beach State College. Now, just how would members of the faculty,
26 particularly those not on tenure, feel if there was a group of

1 their fellows who was riding herd on them and daring to make
2 suggestions as to their outside lives, their deportment in the
3 community and how effective they were on their jobs? Now do you
4 think that that would be regarded with pretty good grace by the
5 people who were brought up and notified that they weren't doing
6 a good job, or would you say to these people, "who are you to
7 tell me what to teach and how to teach"?

8 MR. BLACK: Would you read that question again, please?

9 CHAIRMAN GEDDES: I'm not reading it to you. I am
10 asking you. I said, how do you feel if we can set some sort of
11 an evaluating system where a man would be judged by his peers,
12 that is, his fellow employees, and they would give him due and
13 timely notice different times during the year whether he was
14 doing his job correctly, whether he was over-preparing, whether
15 he was under-preparing, whether he stuttered at his lectures or
16 these other things? How would you feel if such an organization
17 existed and went into your teaching methods that closely?

18 MR. BLACK: I would favor it highly.

19 CHAIRMAN GEDDES: You would think it wouldn't be any
20 more resented than just getting a notice at the very end of the
21 scholastic year?

22 MR. BLACK: Yes, I firmly believe that you should be
23 notified along the way of your employment, how you are doing,
24 and what measures should be taken if there are any possible
25 measures that may be taken to correct any inequities, any
26 poor management or whatever may be the case in your teaching,

1 and then if that person does not change, then he should be
2 released.

3 CHAIRMAN GEDDES: And you believe that members that
4 were so recommended to be released would take it in good grace
5 or would they try to harass the members of the panel?

6 MR. BLACK: I, of course, can speak only for myself,
7 but if President Peterson had even whispered in my ear and said,
8 "I don't like the way you are doing things here, your chances
9 of getting along and getting promotions are poor," I would have
10 left at the end of the year in June.

11 CHAIRMAN GEDDES: That's very frank. Thank you very
12 much. We'll be at recess until the hour of 1:30. Thank you
13 very much, Mr. Black.

14 (Thereupon the noon recess was taken.)
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AFTERNOON SESSION1:30 P.M.

CHAIRMAN GEDDES: The hour of 1:30 having arrived the Committee will be back in session.

Mr. reporter, I'm going to hand you two papers which have been received, just statements by interested parties, one from Ned W. Bowler and one from David H. Krueger, and you can make those part of the record.

(The letters referred to above are incorporated into the record as follows:)

"December 3, 1958

"TO: Sub-committee on Restriction and Extension of Tenure of Assembly Committee on Higher Education.

"FROM: Ned W. Bowler, Asst. Prof., Speech, Long Beach State College.

"SUBJECT: Statement Regarding Faculty Administration Relations at Long Beach State College.

"In a very real sense, the state of affairs at Long Beach State College is a story of lost opportunity. As a young school approaching its tenth anniversary, this school might have been well on its way toward becoming an outstanding institution reflecting credit to the community and to the state. Instead, it has become an object of considerable suspicion if not outright scorn and contempt among reputable institutions throughout the state. It is frequently pointed to as a monument of mismanagement and poor human relations.

ALEX C. KAEMPFER

CERTIFIED SHORTHAND REPORTER

4128 BRUHN COURT, SACRAMENTO 21, CALIFORNIA

1 "With adequate funds provided for a rapidly expanding
2 physical plant, a vigorous and apparently well-trained faculty
3 (more than two-thirds holding the doctorate), and an ever-
4 increasing student body, some essential ingredient appears to
5 be lacking. In my opinion, the crucial element that is lacking
6 is good leadership. I believe that the present administration
7 of the college has not lived up to the challenge of the impos-
8 ing problems accompanying the rapid growth of the school.
9 Instead of utilizing the talents and energies of the faculty in
10 helping solve some of the problems, especially in those matters
11 vital to instruction and faculty morale, they have pursued a
12 policy of more and tighter control, excluding faculty consulta-
13 tion in all major policy decisions. Since I joined the staff
14 in 1954, the faculty at large has never played any significant
15 role in shaping policy or developing those areas which are
16 traditionally the faculty's major concern -- the areas of
17 curriculum, instruction, and matters pertinent to personal wel-
18 fare such as academic freedom and tenure.

19 "The end result of such a narrow and inflexible
20 policy could only be what you are witnessing today -- a faculty
21 resorting to extreme measures to resolve an impasse which
22 apparently is not capable of resolution within the framework
23 of the existing administrative system of the state colleges.

24 "It is not my intent to go into a detailed recital
25 of the many grievances, some minor and some major, undermining
26 faculty morale on our campus today; my intent is simply to

1 convey the belief that faculty administration relations at
2 Long Beach State have reached a point where they are seriously
3 interfering with the instructional program and further suggest
4 that some outside intervention is necessary to rectify this
5 condition. Nor is it my intent to lay blame at any particular
6 doorstep without acknowledging that the faculty is hardly
7 blameless. Personally, I would be inclined to place the
8 blame on the system which would permit such unilateral policy
9 making rather than the individuals abusing their prerogatives
10 within the system. However, the failure of the administration
11 to deal honestly and forthrightly with the faculty when dif-
12 ferences arose would seem to place the burden of responsibility
13 on them since they are the only people in the state college
14 system vested with any authority to initiate policy. In such
15 a system, a faculty is completely at the mercy of the admini-
16 stration unless provision is made for honest negotiation of
17 grievances. That such opportunity for negotiation does not
18 prevail on our campus today is well borne out by the major
19 item on the agenda at this hearing -- the Martin and Black
20 case, which according to the President of the College and
21 Superintendent of Public Instruction is closed, although to
22 this date no reason for the action has been revealed.

23 "Respectfully submitted,

24 "Ned W. Bowles."

25 "December 4, 1958

26 "Sub-Committee on Extension and Restriction of Tenure

1 "Assembly Interim Committee on Education.

2 "Gentlemen:

3 "As a member of the academic teaching staff of Long
4 Beach State College, I should like to take this opportunity to
5 express my feelings on Faculty-Administration relations at
6 Long Beach State.

7 "I hope that the following statement conveys at least
8 part of my deep concern for a situation that is barely tolerable
9 at present, and if the committees efforts fall short, shall
10 become unbearable for those who dare to express themselves.

11 "I write this only as an expression of my personal
12 views from a background of almost eight years in teaching at
13 the college level. Part of this teaching was spent at the
14 University of Oregon, part at Oregon State College, and part at
15 Long Beach State. Although my academic experience is not as
16 extensive as many in my profession, I have had opportunity to
17 become acquainted with the participation of the faculty in
18 higher education at Oregon State and the University of Oregon.
19 Being in my third year at Long Beach State does not make me
20 unfamiliar with the current situation here.

21 "As a member of the teaching staff my primary moti-
22 vation in writing is in hopes that out of your legislative
23 efforts a better educational institution will evolve at Long
24 Beach State. That the best education we can give to our
25 students is vitally important at this point in American history
26 need not be emphasized to the members of the committee.

1 "From my background of academic experience I have
2 not experienced a teaching situation where a seemingly greater
3 lack of academic respect is held by an administration for its
4 faculty. Faculty who come to the California educational system
5 with considerable teaching experience and study at leading
6 universities throughout the United States.

7 "This lack of administrative respect for faculty has
8 manifest itself to me in several ways during the term of my
9 employment:

10 "1. In the two years of my employment at Long Beach
11 State prior to the Fall Semester of 1958 only one all faculty
12 meeting was held each year. At this meeting President
13 Peterson would introduce members of his administrative staff,
14 new faculty members would be introduced, and the President
15 would briefly discuss projected enrollment figures and building
16 projects. It would seem that in two years educational matters
17 other than numbers of students and buildings would arise that
18 should rightfully be subject to open discussion by the entire
19 faculty. It is almost as if the administration were afraid
20 to have faculty members aware of what was going on at Long
21 Beach State.

22 "2. The administration has yet to remedy this sit-
23 uation. It is true that many committees have been put into
24 operation and although committees had been in operation before,
25 to no significant avail, the faculty was asked to accept the
26 administrations efforts in good faith. These committees

1 have now been in operation since September of 1958 operating
2 under a Faculty Constitution. (The very fact that an institu-
3 tion of higher learning must operate under a Faculty Constitution
4 is in itself and indictment of poor administrative practices.)
5 The beginning evidences of the administrations "good faith"
6 appears in the Presidents Councils Minutes of November 25,
7 1958, item 4. Item 4 reads, 'Dean Flynn moved that the
8 Presidents Council reaffirm the administrative position that
9 normal operational business of the college will continue on
10 schedule under existing policies and procedures until such time
11 as present policies and procedures are changed by action of the
12 President of the College, and all concerned are notified of such
13 changes. Motion seconded and carried.' No one questions the
14 current legality of this prerogative of a State College
15 President, but it is most disheartening and somewhat enlighten-
16 ing of the 'good faith' of the administration of Long Beach
17 State College. Surely three months is not too short a period
18 for a President to take council with his faculty or their duly
19 elected representatives.

20 "3. Other evidence of lack of administrative respect
21 for the faculty at Long Beach State occurred in the case of
22 Messers Martin and Black. The allegations in this case have
23 been reported to you by other sources. What the circumstances
24 were surrounding the dismissal have been reported to the
25 faculty by the A.C.S.C.I., A.A.U.P., and C.S.E.A. chapters on
26 campus. To my knowledge the administration has never attempted

1 to inform the faculty of their position in the matter or
2 refuted any of the allegations made by the A.C.S.C.I. committee
3 on Faculty-Administration Relations. Whether or not the circum-
4 stances warranted the dismissal of the gentlemen in question
5 is irrelevant to the point I am attempting to bring out here.
6 It is relevant and quite significant to me that the administra-
7 tion seemingly has so little confidence in their position that
8 they have made no attempt to make this position known to their
9 faculty. A faculty member may disagree with the position and
10 administrator has taken, but will certainly grant him the
11 right to take it and defend it. I personally cannot support
12 an administration that ignores its faculty and their feelings.
13 The rewards of teaching are small enough under present con-
14 ditions. To have an administration that relates itself to
15 its faculty as if the faculty were uninformed hirelings is an
16 insult to the academic profession.

17 "4. A fourth point that seems to me to emphasize the
18 disregard of the administration at Long Beach State for its
19 faculty is that announcement of the meeting of this
20 Legislative Committee had to come from the Presidents of
21 C.S.E.A., A.A.U.P., and A.C.S.C.I. This in spite of the fact
22 that an all school faculty meeting, called and conducted by
23 the administration, was held only ten days prior to this
24 investigative meeting, and that no mention of the Committees
25 convening was made in the Faculty Bulletin distributed to all
26 faculty members on December 1 of this year. That any

1 administration would take such an arbitrary position as to force
2 its faculty into having to appeal to the State Legislature,
3 and indirectly to the people of California, is deplorable.

4 "There are of course other evidences of the adminis-
5 trations poor faculty relations. Many good staff members have
6 left Long Beach State to seek employment elsewhere. Many
7 current staff members find it impossible to recommend seeking
8 employment at Long Beach State to their colleagues in other
9 institutions of higher learning.

10 "I have mentioned the above as indicative of the only
11 position that appears left open to me as a staff member of
12 Long Beach State. One might admire an administration if he
13 knew what there was to admire, but when the members of that
14 administration apparently hide behind the legality of their
15 position and completely ignore the moral and human relation
16 responsibilities of their office they completely lose my
17 confidence in them as administrators and more importantly as
18 educators. If democracy is to survive, shouldn't our insti-
19 tutions of higher learning be the bulwark of this process?

20 "I am grateful to the Committee for permitting me
21 to express myself on a matter that is of utmost importance to
22 me, and sincerely hope that your efforts on our behalf will
23 permit California's system of higher education to be among
24 the leading in the nation.

25 "David H. Krueger

26 "Instructor, Speech & Drama, Long Beach State College"

1 CHAIRMAN GEDDES: I will now call P. Victor Peterson,
2 please.

3 (Thereupon Dr. P. Victor Peterson was duly and
4 regularly sworn by Chairman Geddes.)

5 CHAIRMAN GEDDES: All right, be seated, please, Dr.
6 Peterson and identify yourself for the record.

7 DR. PETERSON: My name is P. Victor Peterson.

8 CHAIRMAN GEDDES: And your position?

9 DR. PETERSON: President, Long Beach State College.

10 CHAIRMAN GEDDES: Very well. Do you have any
11 questions, Mr. Marshall?

12 MR. MARSHALL: Dr. Peterson, how long have you been
13 President of Long Beach State College?

14 DR. PETERSON: Since 1949 at the inception of the
15 institution.

16 MR. MARSHALL: Taking you back to the 1952 report
17 which Dr. Vasche reviewed with us this morning, did you agree
18 with the report when it was made?

19 DR. PETERSON: Yes.

20 MR. MARSHALL: Did you agree with the recommendations
21 that were made in the report?

22 DR. PETERSON: Yes.

23 MR. MARSHALL: Do you feel that you have carried out
24 the recommendations contained in this report.

25 DR. PETERSON: Yes, I do, at least to the extent that
26 it's been possible to carry them out.

1 MR. MARSHALL: Do you feel that the committees that
2 were recommended in the report, the faculty committees and the
3 participation in the affairs of the College by the faculty were
4 put into effect?

5 DR. PETERSON: We have had since that period of time,
6 beginning in 1952, some 15 or more committees that were in-
7 stituted in 1952 that have been operative since that time and
8 have been materially expanded in terms of total numbers.

9 MR. MARSHALL: Then we would have to assume from
10 your statement that the criticisms by the faculty group on the
11 campus about their non-participation have been unfair?

12 DR. PETERSON: Well, I imagine that's a matter of
13 judgment.

14 MR. MARSHALL: Well, your judgment, Dr.?

15 DR. PETERSON: Well, in my judgment I'd say they are
16 unfair.

17 MR. MARSHALL: You think that the faculty has been
18 participating in the affairs of the College to the degree that
19 they should participate?

20 DR. PETERSON: Well, they certainly had an opportunity
21 to.

22 MR. MARSHALL: I see. Then bringing you up to the
23 report by Dr. Vasche to the State Board of this year, the
24 recommendations contained in this report, were they not just
25 some more of the same recommendations from the 1952 report?

26 DR. PETERSON: I think they were an extension of the

1 1952 report.

2 MR. MARSHALL: Well, then, the recommendation that
3 the faculty be given more of a say in the affairs of the
4 College contained in the 1958 report, wasn't this the same as
5 the '52?

6 DR. PETERSON: I think that's true. It's a matter of
7 degree, I think.

8 MR. MARSHALL: Do you think that the communication
9 between yourself and your administrators at Long Beach State
10 College to the faculty had been good in the past?

11 DR. PETERSON: No, I'm willing to admit that the
12 communication has not been all that has been desired.

13 MR. MARSHALL: Have steps been taken to improve this
14 communication?

15 DR. PETERSON: Yes.

16 MR. MARSHALL: Have the recommendations of faculty
17 groups been taken into consideration by you in running the
18 College as far as curricula, subject material contained in
19 courses, course offerings, recommendations for retention and
20 dismissal of the employees?

21 DR. PETERSON: I think there are two questions there,
22 are there not? Certainly, the faculty has participated,
23 faculty committees have participated in building curricula,
24 in determining administration standards, determining eligibility
25 and in determining curricula development, evidenced by a
26 number of committees which have been in operation and those

1 committees have all been committees that have been made up by
2 faculty members' own choice of committees.

3 MR. MARSHALL: Would you review for us, if you will,
4 with regards to probationary employees, those who have not
5 tenure? What procedures do you go through to determine whether
6 they should be retained or dismissed?

7 DR. PETERSON: My judgment is based upon the recom-
8 mendation that comes to me from my major deans, who are charged
9 with the instructional responsibility.

10 MR. MARSHALL: In other words, faculty groups have no
11 say in this?

12 DR. PETERSON: No, I didn't say that. I said that
13 the recommendations have come to me through my deans and I
14 discuss in detail with my respective deans their recommendations
15 to me.

16 MR. MARSHALL: Getting to the Martin and Black case
17 now, you were asked to bring certain files, records and letters
18 concerning Frank B. Black and Clyde V. Martin. Do you have
19 those with you?

20 DR. PETERSON: I have.

21 MR. MARSHALL: May I have them, please? Now, these
22 men as I understand it, from what they have said, were not told
23 ahead of time that they were discharged or not retained -- I
24 guess is the better word that you prefer -- were not told they
25 were going to be, and in fact, they have indicated the opposite
26 to be the case, that they were both told by the department

1 head that they would be recommended for retention. What made
2 you change? What made you not retain them? What were the
3 reasons, for instance?

4 DR. PETERSON: The reasons again for the recommenda-
5 tions of my major deans to me who in their judgment stated that
6 better teachers were available.

7 MR. MARSHALL: You, however, are aware of certain
8 reasons why they were not retained?

9 DR. PETERSON: In terms of specific reasons?

10 MR. MARSHALL: Yes, sir.

11 DR. PETERSON: No, they were just general recommenda-
12 tions made to me that there were more effective teachers avail-
13 able.

14 MR. MARSHALL: I show you a letter dated May 23, 1958,
15 addressed to Dr. J. Burton Vasche, Associate Superintendent of
16 Public Instruction. Would you identify that that is your
17 signature in your letter, please?

18 DR. PETERSON: That signature was in it and I must
19 ask for a restatement of the question as it was before. These
20 statements were not prepared by me. They were prepared by the
21 executive deans and the other two administrative deans and
22 signed by me as official communications to the State Superintendent

23 MR. MARSHALL: You mean to say that this letter went
24 out over your signature but it's not your letter?

25 DR. PETERSON: Went out over my signature. I knew
26 of the letter, yes, but I did not go into the details of that.

1 That's common administrative procedure.

2 MR. MARSHALL: Well, then, this is the way you admin-
3 ister Long Beach State College, that many things go out over
4 your signaure that are not your product or not your views or
5 not your opinions?

6 DR. PETERSON: That is those that have been developed
7 by my responsible deans. I take their statements and without
8 having the time or opportunity to go back to all of them.

9 MR. MARSHALL: On March 28th, Dr. Vasche reports in
10 his report that you wrote him as follows, among other things,
11 in part here:

12 "It was on this basis, together with numerous com-
13 plaints which had been received through administrative channels
14 concerning the teaching service of these two teachers, that the
15 final decision was reached leading to their notification that
16 reappointment would not be recommended."

17 Is this yours or is this one of your deans writing
18 now?

19 DR. PETERSON: That is one of my deans' statement to
20 me.

21 MR. MARSHALL: What dean?

22 DR. PETERSON: That statement, I think, was prepared
23 by Dean Bryant.

24 MR. MARSHALL: You have no knowledge of the materials
25 or what he's referring to in this, is that right?

26 DR. PETERSON: Not the details.

1 MR. MARSHALL: You don't know what the numerous
2 complaints were?

3 DR. PETERSON: I have some notion of them, yes, but
4 I did not go into the details of them

5 MR. MARSHALL: Well, what were the complaints then?
6 What were the numerous complaints that are referred to in this
7 letter?

8 DR. PETERSON: Ineffective teaching and that better
9 staff people were available.

10 MR. MARSHALL: Going back to the letter of May 23,
11 1958, do you have knowledge of these reasons listed in this
12 letter why Mr. Black and Dr. Martin were dismissed?

13 DR. PETERSON: State that again, will you?

14 MR. MARSHALL: Do you have knowledge in this letter
15 of May 23, these reasons that are given called "Summary Data
16 Concerning Frank B. Black and Summary Data Concerning Clyde
17 V. Martin," in which there are listed several reasons why they
18 were not retained?

19 DR. PETERSON: I did not go into the reasons why.
20 That is, I did not examine beyond the statements.

21 MR. MARSHALL: Well, whose work are they, Dr.?

22 DR. PETERSON: They're the work of the deans.

23 MR. MARSHALL: What deans?

24 DR. PETERSON: Well, I would say in that case col-
25 lectively Dean Bryant, Dean Rhodes, Dean Bretton and Dean
26 Russell.

1 MR. MARSHALL: In other words, if we ask these four
2 men about these reasons given they'll be able to give us the
3 background concerned? You have no knowledge of the background?

4 DR. PETERSON: I did not know the background.

5 MR. MARSHALL: In other words, a statement such as
6 "he has disturbed the personnel of his division through invita-
7 tions to the female members of the clerical force to join him
8 for cocktails," you don't know anything about this?

9 DR. PETERSON: That's not my statement.

10 MR. MARSHALL: In your opinion, however, you had
11 sufficient reason to not rehire Dr. Martin and Mr. Black?

12 DR. PETERSON: I rely upon the recommendations of my
13 major administrative assistants. I cannot be expected to know
14 all the details of operation in an institution of our size.

15 MR. MARSHALL: In other words, then, they were not
16 rehired not on your own knowledge but on the knowledge of your
17 deans?

18 DR. PETERSON: That's possibly correct.

19 MR. MARSHALL: Do you think there is anything the
20 matter presently at Long Beach State College between the faculty
21 and the administration in their relationships? Is anything the
22 matter or is everything all right?

23 DR. PETERSON: I think we are making progress toward
24 a better understanding. The Faculty Council has been in
25 existence this year. A number of subcommittees have been
26 appointed and are at work. The Council meets regularly. Dean

1 Bryant and myself sit in as observers on the Faculty Council.
2 There are a number of committees at work under the jurisdiction
3 of the Council.

4 MR. MARSHALL: Are these the same committees that
5 were established in 1952?

6 DR. PETERSON: Some of them are the same committees
7 and some of them are new committees and extension of other
8 committees.

9 MR. MARSHALL: The Faculty Council, has it been in
10 existence since 1952?

11 DR. PETERSON: No.

12 MR. MARSHALL: Wasn't it recommended that it be put
13 in existence in 1952?

14 DR. PETERSON: In 1952 the Table of Operation at that
15 time had an Employees' Council and not a Faculty Council, and
16 the Employees' Council was in existence at that time.

17 MR. MARSHALL: What do you think can be done at Long
18 Beach State College to improve the relationships between the
19 faculty and the administration any more than is being done
20 today?

21 DR. PETERSON: I think that as these committees have
22 an opportunity to work in their present framework that a more
23 complete understanding of the operation of the College and the
24 responsibility of various individuals will be apparent.

25 MR. MARSHALL: Do you think that the students who
26 are going to Long Beach State College are getting the best

1 possible education that the taxpayer dollar will provide?

2 DR. PETERSON: We are trying to provide the best
3 instructional facilities possible, both instructional facilities
4 and physical facilities.

5 MR. MARSHALL: Do you think that the present contro-
6 versy lessens the effectiveness of the instruction of the
7 students?

8 DR. PETERSON: That's a matter of conjecture.

9 MR. MARSHALL: Do you have an opinion on it?

10 DR. PETERSON: I doubt if it's upsetting the instruction
11 as far as the students are concerned.

12 MR. MARSHALL: Earlier this year Dr. Van Dyke was
13 demoted from Chairman of the Education Department after the
14 Martin and Black case was given the publicity it got?

15 DR. PETERSON: I don't like the term "demoted."
16 It's reassigned.

17 MR. MARSHALL: He was reassigned from department head
18 to a professorship?

19 DR. PETERSON: He was a professor.

20 MR. MARSHALL: He was a professor, but his administra-
21 tive job was changed or he was taken from the administration
22 end and put back into the teaching, is that correct?

23 DR. PETERSON: That's correct.

24 MR. MARSHALL: Why?

25 DR. PETERSON: Well, simply because we felt that he
26 was probably more effective in his special field since he is

93
1 one of the top secondary school administrators in the State,
2 and would give him an opportunity to instruct in his field of
3 specialization which was one of the reasons why he was brought
4 to the College originally.

5 MR. MARSHALL: Do you think his handling of the Martin
6 and Black case had anything to do with this?

7 DR. PETERSON: Yes, it probably did.

8 MR. MARSHALL: Do you usually disregard recommendations
9 of department heads in retaining or dismissing people?

10 DR. PETERSON: The recommendations of department heads
11 do not come directly to me. They come through the various
12 instructional deans.

13 MR. MARSHALL: And who is the dean in charge of this
14 department?

15 DR. PETERSON: The dean in charge of this department
16 this year is Dr. Bratton. It was Dr. Rhodes at that time.

17 MR. MARSHALL: Did you ever receive any communications
18 from people of the Long Beach State College about the personal
19 actions of Dr. Martin and Mr. Black?

20 DR. PETERSON: I have one communication in the folder.

21 MR. MARSHALL: Where did the statement that numerous
22 complaints had been received from people off the campus come
23 from? I am paraphrasing the statement.

24 DR. PETERSON: I am not sure what the source of those
25 are. They did not come to me directly; telephone calls came to
26 me.

1 MR. MARSHALL: You got telephone calls concerning --

2 DR. PETERSON: Right.

3 MR. MARSHALL: (Continuing) -- who?

4 DR. PETERSON: Particularly Mr. Black.

5 MR. MARSHALL: Well, what did the callers have to tell
6 you about Mr. Black?

7 DR. PETERSON: Well, the things that were brought out
8 this morning were the two items that were called attention to
9 by the telephone.

10 MR. MARSHALL: By "the two items this morning,"
11 what are you referring to?

12 DR. PETERSON: The suit that Mr. Black had instituted--
13 no, only one, I'm sorry.

14 MR. MARSHALL: The suit when his child --

15 DR. PETERSON: When his child's leg was broken.

16 MR. MARSHALL: Now, you had telephone calls -- now
17 we're saying "plural" on this?

18 DR. PETERSON: Yes.

19 MR. MARSHALL: What did they say?

20 DR. PETERSON: Well, they thought the case was un-
21 warranted. I knew nothing about the case obviously, so all I
22 did was listen.

23 MR. MARSHALL: And was this one of the reasons why
24 Mr. Black was not retained?

25 DR. PETERSON: Not in my mind.

26 MR. MARSHALL: In other words, actually what you are

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1 telling us, you don't know of any reasons. It's just what your
2 deans reported to you, the recommendation of your deans, is
3 that right?

4 DR. PETERSON: That is correct. I take the recom-
5 mendations of my deans on all matters of promotion and retention.

6 MR. MARSHALL: And you know of no reason why these
7 two men shouldn't have been retained or should have not been
8 retained?

9 DR. PETERSON: Oh, yes, they were related to me by
10 my deans who said that better staff people are obtainable and
11 more effective staff people are obtainable.

12 MR. MARSHALL: That's all I have.

13 CHAIRMAN GEDDES: Well, Dr. Peterson, just following
14 up -- the echo is still in my mind -- this line of questioning.
15 Would you say that it's true or am I assuming it to be true
16 that the detailed explanation as to why Martin and Black were
17 not retained as stated by the deans and attested by your
18 signature was after the fact of their non-retention had become
19 established and an explanation was being asked for, or did you
20 get that information more or less in the same form when you
21 were the one who had to inform them that they were not to be
22 rehired?

23 DR. PETERSON: The deans were with me at the time
24 when they were so informed.

25 CHAIRMAN GEDDES: Were these matters brought out when
26 the deans were with you --

1 DR. PETERSON: No.

2 CHAIRMAN GEDDES: (Continuing) -- when they were so
3 informed?

4 DR. PETERSON: No.

5 CHAIRMAN GEDDES: The deans were just sitting there
6 and you told them they weren't going to be rehired for the
7 ensuing year?

8 DR. PETERSON: That's right.

9 CHAIRMAN GEDDES: One or two other questions I'd like
10 to ask that I think you should certainly have an opportunity to
11 answer, and one is, in a bill of particulars, so called, that
12 has been filed with me and by some of the members of the
13 Committee, the section relating to "expenditure of funds:

14 "The manner in which line item funds are expended for
15 instructional purposes is generally unknown to the faculty.
16 When asked about this the President declared that faculty
17 members have no right to information of this kind."

18 Do you remember being asked as to the manner in which
19 instructional funds were to be expended?

20 DR. PETERSON: No, I have no such knowledge.

21 CHAIRMAN GEDDES: Do you feel that this is something
22 that it's within the province of the administrator of the
23 College and allowed by the Legislature when the Budget is
24 adopted and not, in fact, the business of the faculty members?

25 DR. PETERSON: No, I think the Budget is public in-
26 formation. The allocation may be a matter to be worked out at

1 the local level, but the item itself is a matter of public in-
2 formation.

3 CHAIRMAN GEDDES: In other words, it's not possible,
4 I don't believe it is, for some changes in budgetary procedure--
5 correct me if I'm wrong -- to budget for a salary and buy an
6 automobile for that, or to budget for an automobile and turn
7 that into salary, is that correct?

8 DR. PETERSON: Well, if it's possible to do it, I
9 don't know the techniques of doing it.

10 CHAIRMAN GEDDES: Well, we'll try to guard against
11 that. Then it says here (Reading):

12 "Certain funds granted for specific instructional
13 purposes are sometimes withheld and subsequently diverted into
14 other channels."

15 Have you any comment on that?

16 DR. PETERSON: I have no knowledge of that. I'd
17 like to have you ask the Business Manager that question?

18 CHAIRMAN GEDDES: All right, we will try to get after
19 that. (Reading)

20 "Student assistant funds and travel funds are in-
21 equitably allocated and distributed by the administration.
22 There is some reason to believe that prevailing practices used
23 in allocating funds are intended to consolidate control rather
24 than to serve the best interests of the college."

25 Do you know anything about that?

26 DR. PETERSON: The travel budget or the student

1 assistant budget is allocated by Dean Rhodes on a formula
2 basis and I wish you would ask him about the details of the
3 distribution of that budget. The travel budget is allocated
4 to the divisions who in turn allocate it to the various members
5 of the staff.

6 CHAIRMAN GEDDES: Then you wouldn't have because you
7 don't have to approve any of these forms, and it's a separate
8 department that doesn't come directly under your management?

9 DR. PETERSON: I know nothing about the reallocation
10 of those funds.

11 CHAIRMAN GEDDES: It says here (Reading):

12 "The fact that student assistant funds have been
13 misused to obtain furniture for the Administration Building."

14 Is there any place along the line where you would
15 have to pass on the use of student assistant funds for furniture
16 or would that be up, again, to a department head?

17 DR. PETERSON: That would be up to the Business
18 Manager. I know nothing of that.

19 CHAIRMAN GEDDES: And it's to be presumed, is it
20 not, that the Bureau of Audits, the Legislative Analysts making
21 these post budget audits, would have found these illegal things?

22 DR. PETERSON: That's right, they certainly would.

23 CHAIRMAN GEDDES: That's all I have. Any other
24 members have any question?

25 MR. GAFFNEY: I have some questions.

26 CHAIRMAN GEDDES: Mr. Gaffney.

1 MR. GAFFNEY: Dr., you brought out in your testimony
2 here that your letter to Dr. Simpson recommending dismissal of
3 these two men or rather against reinstatement for a position on
4 the faculty, that the contents of that letter to Dr. Simpson
5 was not of your authorship and yet it bore your signature?

6 DR. PETERSON: That is common practice in our insti-
7 tution. I can't speak of any other institution. Those letters
8 are prepared for my signature by my executive deans.

9 MR. GAFFNEY: Would it have been more factual to say
10 "upon the recommendations of my deans I concur in their recom-
11 mendations that these men not be continued in their employment"?

12 DR. PETERSON: I think it would.

13 MR. GAFFNEY: And then your signature would be
14 honestly your signature?

15 DR. PETERSON: I think that's a good suggestion.

16 MR. GAFFNEY: Another thought and a question: when
17 you became aware of some of the faults that were found with
18 either or both of these instructors, did you ever invite either
19 one or both of those gentlemen into consultation with you to
20 tell them what the College required?

21 DR. PETERSON: No, I do not do that. That is the
22 responsibility of the people down the line and it's not my
23 responsibility. In an institution of our size I feel that
24 those responsibilities must be delegated to subordinate ad-
25 ministrators.

26 MR. GAFFNEY: Well, now, I'll put the question

1 another way: did either one of these gentlemen request an
2 interview on the point of grievances with you?

3 DR. PETERSON: They requested an interview but
4 insisted that they must have legal counsel at the time.

5 MR. GAFFNEY: They insisted on having legal counsel
6 at that time, was that it?

7 DR. PETERSON: That's right.

8 MR. GAFFNEY: Well, let's get back to the first point.
9 Regardless of custom, not having asked them into consultation --
10 a high school has sometimes 2,400 students. The principal of
11 that high school holds himself liable, I mean, in conscience,
12 in good conscience, to interview any pupil who is under
13 duress, out of 2,400. You have 300 members in your faculty,
14 and you tell me it isn't custom and it wouldn't be expedient
15 because of the vastness of your institution to accord that kind
16 of a courtesy from the presiding officer of the institution,
17 is that what you claim?

18 DR. PETERSON: No, I would gladly have them come in
19 at any time, and I have told my faculty that my doors are
20 always open.

21 MR. GAFFNEY: You would have received them on their
22 request if they had not insisted upon having legal counsel?

23 DR. PETERSON: That's correct.

24 MR. GAFFNEY: I see. Thank you very much.

25 CHAIRMAN GEDDES: Anything further?

26 MR. HANNA: Mr. Chairman.

1 CHAIRMAN GEDDES: Mr. Hanna.

2 MR. HANNA: Dr. Peterson, I think the testimony of
3 Dr. Martin brought out the importance, perhaps, of one other
4 aspect in the College. Do you have the authority and full
5 responsibility in selecting the deanships for the various
6 departments?

7 DR. PETERSON: Yes, that's right.

8 MR. HANNA: Could you tell the Committee in some kind
9 of a short more or less concise way the factors that go into
10 selecting a dean for a particular department?

11 DR. PETERSON: Yes. I look for a man or a woman who
12 has the particular qualities to perform certain types of re-
13 sponsibilities in the instructional area, men or women who are
14 acquainted with the instructional departments which they will
15 be called upon to supervise.

16 MR. HANNA: Has there in the past been any participa-
17 tion in a discussional way or in an investigative way with the
18 faculty that will be under that dean as to participating with
19 you in the selection of that dean?

20 DR. PETERSON: Not the faculty as a whole, but
21 division chairmen frequently.

22 MR. HANNA: In this same respect, in your opinion
23 is there any difference between the quality of professorships
24 of those men who serve in universities as against those men
25 who serve in your College in the various disciplines in the
26 College?

1 DR. PETERSON: I don't get that question.

2 MR. HANNA: Well, I mean, in making a comparison let's
3 say, between a professor in chemistry in a university of the
4 state of California, do you think there's any difference in
5 quality or ability between that professor in a university and
6 a similar professor in a state college?

7 DR. PETERSON: Let me answer the question this way:
8 in the state college we are primarily concerned with well-
9 qualified teachers. We are not as concerned with people who
10 have research interest primarily. Since we are required by
11 law to require full-time teaching, we do not have any released
12 time for research. We hope, however, that the members of our
13 staff will find some time to do some research but we are
14 required to request of them a full-time teaching load and for
15 that reason we are probably -- and I say "probably" -- more
16 concerned about a person's teaching effectiveness than we are
17 about his research effectiveness.

18 MR. HANNA: Mr. Chairman, if I may, I'd like to
19 emphasize this point. I'm very glad you made that statement,
20 Dr. Peterson, because I believe that to at least a limited
21 extent this is a focal point towards some of the troubles that
22 exist, that as far as you personally are concerned and probably
23 in the eyes of other persons in evaluating this, they feel
24 there is a difference in these two types of service, and if I
25 understand you correctly, it is the emphasis on teaching ability
26 in the College whereas you feel that there's an emphasis on the

1 research proponents and so on in the universities. Is that
2 correctly restating what you said?

3 DR. PETERSON: It's certainly correct as far as our
4 old institutions are concerned. I am not prepared to say that
5 the university is not concerned about teaching effectiveness,
6 and I don't think you'd expect me to.

7 MR. HANNA: No, I am sure. Now, tell me this. But
8 do you think there is a unanimity of opinion or even a
9 unanimity of understanding between yourself and your faculty
10 in regards to this distinction which you tacitly make between
11 service in a state college and service in a university?

12 DR. PETERSON: I make an effort with every candidate
13 that I interview for a position to emphasize the fact that the
14 responsibility is a teaching responsibility and not a research
15 responsibility. Going so far to say that a person is primarily
16 interested in research, we probably are not the institution
17 with which he should seek employment, because we must require
18 a full teaching load of that person, and I try to, and I'm
19 sure that the rest of the staff who do interviewing, emphasize
20 the same thing.

21 MR. HANNA: How would you distinguish between this
22 idea of the college, the state college professor and the
23 junior college instructor? What distinction do you think
24 exists there?

25 DR. PETERSON: Again, I can't speak for the junior
26 college, but I would assume that a junior college, as I

1 understand their program and understand their financial support,
2 they do not have any great amount of money for research, that
3 their primary emphasis would likewise be teaching.

4 MR. HANNA: Then, would it be fair for me to say that
5 in your estimation the position of a professorship in a state
6 college has much more parallel with the junior college level
7 than it has with the university level?

8 DR. PETERSON: From the standpoint of internal re-
9 sponsibility I think that would be true. That does not mean,
10 however, that we are not interested in people who will do
11 research and who can do research and who do publication,
12 because we have some people who do, and in my own case, since
13 I'm a chemist by training, I've come up through the research
14 field myself, so I think I know something about it.

15 MR. HANNA: Would you read back the statement that
16 the Dr. made about internal affairs here? I want to be sure
17 I understood that correctly.

18 (Thereupon the Court Reporter read back the last
19 statement made by Dr. Peterson regarding internal affairs.)

20 MR. HANNA: Just a moment, then, would you enlighten
21 me as to what the statement "from the standpoint of internal
22 responsibility" meant in your mind, if you will?

23 DR. PETERSON: Yes. Internal responsibility is
24 responsibility to the institutions in the position for which
25 they were hired. That's what I meant by "internal responsibil-
26 ity". In other words, a person on our staff who is hired as

1 an instructor in chemistry would be expected to devote his
2 primary interest and efforts to teaching.

3 MR. HANNA: Now, let me ask you this final question:
4 do you think that in relation to participation on a faculty
5 level in any area of administrative decision that the relation-
6 ship in that internal working of the College would be more that
7 which exists in the junior college or that which exists in the
8 university? And I'm thinking here on the university level of
9 the academic senate approach. What is your philosophy or your
10 guiding principles in policies there?

11 DR. PETERSON: Well, I think within the state college
12 we want the faculty to have as much participation as is pos-
13 sible primarily through the divisions with which they are
14 associated, and since it relates again to a teaching responsi-
15 bility it would relate to curricula studies, scheduling and
16 that sort of thing definitely.

17 MR. HANNA: Can you make for us any distinctions that
18 you would draw in the operation of your faculty as against the
19 operation of the academic senate as it operates in the
20 university?

21 DR. PETERSON: I don't know how the academic senate
22 operates.

23 MR. HANNA: Well, you have me there.

24 CHAIRMAN GEDDES: Let our counsel research that.
25 But right along that line, I'd like to ask you if you have
26 seen what purports to be Constitution of the Faculty Council

1 of the Long Beach State College?

2 DR. PETERSON: Yes, sir.

3 CHAIRMAN GEDDES: What do you think of that idea
4 generally as presented?

5 DR. PETERSON: I think the idea generally is good.
6 I have approved that constitution except for the one clause
7 which relates to the State Department of Education and the
8 State Board of Education, and I have no authority to commit
9 those two bodies obviously.

10 CHAIRMAN GEDDES: Well, that's the reason I didn't
11 know that you had seen this, but part of our duty is to try to
12 find a method and a vehicle whereby we could make for better
13 communication, make for wider participation. I think the
14 paragraph that you referred to is this, the fourth paragraph
15 on the position of the Faculty Council in the official organi-
16 zation of a college: (Reading)

17 "In the event of the inability of the president of
18 the faculty council to dissolve all differences by compromise
19 and negotiation, the president's view shall prevail, but in
20 such case if the faculty council so decides by a two-thirds
21 vote, the issue shall be referred to secret mail ballot of
22 faculty."

23 That's all faculty voting, as I understand it, am
24 I correct? Is that the way you understand it?

25 DR. PETERSON: That's correct.

26 CHAIRMAN GEDDES: (Reading)

1 "And if the faculty so decides by two-thirds majority
2 of those voting the matter shall be appealed to the State
3 Department of Education and the State Board of Education."

4 Now, your position is that you have approved in
5 principle the proposal contained in this constitution but I
6 will say parenthetically quite properly you cannot commit the
7 State Department of Education or the State Board of Education.
8 That would take legislation.

9 DR. PETERSON: That's correct.

10 CHAIRMAN GEDDES: All right I think that we have at
11 least made one step. Mr. reporter I offer you this as
12 Committee Exhibit No. 2 or the next exhibit in order, and it
13 can become part of the record, because I think we've got some-
14 thing that we can talk about, and we have pretty well gone
15 into the case of the two principal actors or those whose dis-
16 missal precipitated this.

17 Now, Mr. Elliott had a question he wanted to ask.

18 MR. ELLIOTT: Dr. Peterson, Dr. Martin in his state-
19 ment stated that he had previously been given "satisfactory"
20 and to quote him: (Reading)

21 "...even complimentary, letters of recommendation by
22 his division chairman and the executive dean."

23 My question is, when his dean recommended that he not
24 be re-employed did you at that time ask the dean why it was
25 that he had previously been given a letter of recommendation
26 and a satisfactory rating, as I understand it, and now due to

1 possibly some subsequent developments had decided to make an
2 unfavorable recommendation?

3 DR. PETERSON: I'd like to have you ask the dean con-
4 cerned about that.

5 MR. ELLIOTT: Well, my question was to you, at that
6 time did you make an inquiry of the dean --

7 DR. PETERSON: No.

8 MR. ELLIOTT: (Continuing) -- as to why he had
9 apparently changed his mind in regard to making a favorable
10 recommendation?

11 DR. PETERSON: I did not know of it.

12 MR. ELLIOTT: You did not make such an inquiry at
13 that time?

14 DR. PETERSON: No, that's right.

15 MR. ELLIOTT: Of course, this question can be directed
16 to the dean, but my inquiry to you was whether or not you
17 in your relationship through the particular dean had made any
18 particular request in view of the fact that he apparently had
19 changed his mind in this particular case after previously
20 having made a favorable recommendation. Am I correct, is it a
21 true statement that a favorable recommendation had previously
22 been made?

23 DR. PETERSON: I do not know.

24 MR. ELLIOTT: Let's see, Dr. Martin also stated that
25 there had been no -- and I'm not quoting him -- but he indicated
26 in his statement that no one had discussed with him his

1 weaknesses or shortcomings during his previous teaching ex-
2 perience there. Did you inquire of the dean at that time or
3 is it a standard policy of yours to inquire of the dean at the
4 time he makes an unfavorable recommendation, as to whether or
5 not he had consulted with the particular teacher to find out
6 whether or not there were weaknesses and shortcomings that
7 possibly could be rectified?

8 DR. PETERSON: I did not inquire of the dean whether
9 he had inquired of the division chairman, so I do not know
10 whether the dean inquired of the division chairman.

11 MR. ELLIOTT: In other words, you didn't engage in
12 any discussion that you can recall with the dean at that time
13 in regard to the previous recommendations that had been made
14 in regard to any consultations or advice given to the teacher
15 but merely accepted his recommendation without any substantial
16 discussion of that recommendation?

17 DR. PETERSON: That's correct.

18 MR. ELLIOTT: Thank you.

19 CHAIRMAN GEDDES: Further questions?

20 MR. MARSHALL: Yes.

21 CHAIRMAN GEDDES: Mr. Marshall.

22 MR. MARSHALL: You testified here today, Dr., that
23 you want teaching personnel, that you are more interested in
24 this than faculty. During the last two or three years have
25 any of your faculty in full-time teaching been promoted to
26 full professorships in your division of education and

1 psychology?

2 DR. PETERSON: I do not have the records at hand and
3 I can't tell you.

4 MR. MARSHALL: Well, who could tell us here, one of
5 your deans in charge of this?

6 DR. PETERSON: I would suspect that probably Dean
7 Bryant could tell you, although again I'm not sure.

8 MR. MARSHALL: He is the one responsible for this
9 division, is that it?

10 DR. PETERSON: That's right.

11 MR. MARSHALL: Do you have any knowledge of an agree-
12 ment between Long Beach State College and Biola Bible College
13 of Los Angeles?

14 DR. PETERSON: Yes, we have an agreement but I would
15 defer that question to Dr. Vasche and to Dr. Rhodes, our
16 Dean of Instruction.

17 MR. MARSHALL: You don't know anything about it?

18 DR. PETERSON: Yes, I know that we have an agreement
19 with them but the agreement was reached through an arrangement
20 between the Dean of Instruction and the State Department and
21 I think Dr. Vasche has a statement which he will be glad to
22 make on that. Would you ask Dr. Vasche if he has?

23 MR. MARSHALL: Well, perhaps we can get it from Dr.
24 Rhodes when he comes up. He talked with the Biola people about
25 this agreement, did he?

26 DR. PETERSON: That's right.

1 MR. MARSHALL: Thank you.

2 CHAIRMAN GEDDES: Anything further you'd like to add,
3 sir? If nothing further, thank you very much.

4 David Bryant, please.

5 (Thereupon Mr. David Bryant was duly and regularly
6 sworn by Chairman Geddes.)

7 CHAIRMAN GEDDES: Give your name and title for the
8 record, please.

9 MR. BRYANT: I'm David L. Bryant, the Executive Dean
10 of Long Beach State College.

11 CHAIRMAN GEDDES: Mr. Marshall.

12 MR. MARSHALL: How long have you been at Long Beach
13 State College?

14 MR. BRYANT: Since the organization of the College,
15 Mr. Marshall, in the fall of 1949.

16 MR. MARSHALL: What can you tell us about the discharge
17 of Dr. Martin and Mr. Black, or non-retention?

18 MR. BRYANT: Mr. Marshall, might I preface that re-
19 mark by an attempt to explain, I think, a little confusion
20 about the relationship and the organization of the College
21 insofar as the various deans are concerned with the administra-
22 tion of the instructional program. We have two instructional
23 deans in the College that are charged with this basic responsi-
24 bility of reporting directly to the President, and under those
25 deans we have various division chairmen and departmental heads.
26 My position is that of a staff officer working largely and under

1 the immediate direction of the President and I have no direct
2 responsibility for the instructional program.

3 MR. MARSHALL: Is it true that a meeting between
4 four of the deans and Professor Van Dyke, the head of the
5 Education Department, was held at Long Beach State College to
6 discuss Dr. Martin and Mr. Black?

7 MR. BRYANT: That is correct.

8 MR. MARSHALL: What happened at that meeting?

9 MR. BRYANT: At that meeting, as I remember, there
10 were present the two instructional deans, the dean of students,
11 Dr. Van Dyke and myself, and there was discussion on the
12 relative merits of these two men in comparison with other
13 members of the College staff, and the merits of these gentle-
14 men as compared with the availability of people in the market.
15 Dr. Van Dyke made the statement at that meeting that these two
16 individuals were probably the least effective members of his
17 teaching staff. And it is my opinion, sir, that based upon
18 that statement the two instructional deans recommended that
19 they not be reappointed.

20 MR. MARSHALL: Well, what's curious to me, we've
21 heard that immediately before this meeting Professor Van Dyke
22 recommended to Dr. Martin and Mr. Black that he was going to
23 recommend that they be retained. He then goes into a meeting
24 with four of the deans and comes out and has his mind changed.
25 Now what caused this and what went on at the meeting?

26 MR. BRYANT: If you're implying coercion, Mr. Marshall,

1 I believe there was none such.

2 MR. MARSHALL: I'm not implying; I'm asking.

3 MR. BRYANT: There was nothing but a discussion, sir.

4 MR. MARSHALL: These reasons given in the letter
5 that's signed by Dr. Peterson but is not Dr. Peterson's letter,
6 to Dr. Vasche --

7 MR. BRYANT: Yes, sir.

8 MR. MARSHALL: (Continuing) -- are you aware of these
9 reasons? Is this your letter?

10 MR. BRYANT: I have no personal knowledge of any of
11 the reasons stated therein. Those were all furnished to me by
12 Dr. Rhodes, Dean of Instruction.

13 MR. MARSHALL: And Dr. Rhodes is the one that wrote
14 the letter?

15 MR. BRYANT: No, sir, I wrote the letter.

16 MR. MARSHALL: So you wrote the letter?

17 MR. BRYANT: Yes, sir, on the basis of information
18 which Dr. Rhodes furnished to me and on the basis of the
19 President's request that I prepare a letter and Dr. Vasche
20 knows it.

21 MR. MARSHALL: Then Dr. Rhodes handed you the
22 reasons and you incorporated them in the letter and you don't
23 know anything about the reasons?

24 MR. BRYANT: That is correct. That is exactly
25 correct, yes, as I remember.

26 MR. MARSHALL: And you have a non-profit corporation

1 at your College to run the book store and certain other
2 activities?

3 MR. BRYANT: That is correct, sir, the Forty-Niner
4 Shops.

5 MR. MARSHALL: Forty-Niner Shops?

6 MR. BRYANT: Right.

7 MR. MARSHALL: Do you have knowledge of the activities
8 of the Board of Directors of the Forty-Niner Shops?

9 MR. BRYANT: I do, sir. I am Chairman of the Board.

10 MR. MARSHALL: Chairman of the Board?

11 MR. BRYANT: Yes, sir.

12 MR. MARSHALL: At any time has money been spent
13 other than operating expenses without prior approval of the
14 Board of Directors of the Forty-Niner Corporation?

15 MR. BRYANT: There have been one or two instances
16 where because of the nature of circumstances and because of
17 informal contacts with members of the Board, expenditures
18 have been made which have subsequently been ratified by the
19 Board in its regular meetings.

20 MR. MARSHALL: Is there any foundation to the
21 charge that four of the administration and/or faculty in
22 effect control this Board over the opposition of the students
23 on the Board and/or other faculty members on the Board?

24 MR. BRYANT: Mr. Marshall, may I say that since the
25 corporation was organized officially as a non-profit corpor-
26 ation in 1953, and prior to that time as a voluntary

1 organization, there have always been student representatives
2 on the Board of Directors and I think those students will
3 testify that there has been very satisfactory relationships,
4 very few complaints, and those complaints which they have
5 raised I think have been met in a satisfactory manner.

6 MR. MARSHALL: At the last meeting, or at a recent
7 meeting of the Board of Directors, as I understand, let me ask
8 you was a motion passed that no prior expenditures without, or
9 no expenditures without prior approval would henceforth be made?

10 MR. BRYANT: That is correct, yes, sir.

11 MR. MARSHALL: What was the reason that happened?

12 MR. BRYANT: I can give that to you very easily.

13 A short time before this particular Board meeting transpired
14 and with the full knowledge of the members of the Board we had
15 been discussing the propriety of applying machine bookkeeping
16 to the operations of the corporation. The corporation now
17 has an annual gross of somewhere in the neighborhood of
18 \$750,000. It had been apparent for some time that machine
19 accounting would be certainly economical and expedient as a
20 means of taking care of the business of the corporation. We
21 are in the process of starting a new accounting system there-
22 fore as of the beginning of the fiscal year which is January 1.
23 In order to have the delivery of machine guaranteed for
24 January the 1st and in order also to protect the then existing
25 price it was necessary to make a \$500 deposit on this machine,
26 which has a market value of approximately \$5,800. I took the

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1 responsibility after again some informal discussions with
2 several members of the Board, and instructed the Manager of
3 the store to issue the order and to place the \$500 deposit and
4 then this matter was taken up at the last Board meeting and
5 was confirmed by the Board.

6 MR. MARSHALL: And did you without prior approval of
7 the Board buy a \$1,000 tea service for use of the College?

8 MR. BRYANT: No, sir, I did not.

9 MR. MARSHALL: Who did, anybody?

10 MR. BRYANT: That was done without my knowledge and
11 approval by the co-executive director who has charge of the
12 cafeteria operations, which is a part of the Forty-Niner Shop.

13 MR. MARSHALL: Has the Forty-Niner Shop contributed
14 any political contributions to campaigns?

15 MR. BRYANT: That might be a matter of interpretation,
16 Mr. Marshall. Would you be more specific, please?

17 MR. MARSHALL: Did you contribute \$859 to the propo-
18 sition --

19 MR. BRYANT: Three?

20 MR. MARSHALL: (Continuing) -- three?

21 MR. BRYANT: Yes, sir, we did.

22 MR. MARSHALL: Do you consider it legal for this
23 corporation to make political contributions, to political
24 campaigns?

25 MR. BRYANT: Mr. Marshall, as I understand the non-
26 profit corporation law of this state, there is a provision

1 which prohibits the contribution by a non-profit corporation
2 in behalf of the candidacy of any person running for office.
3 Proposition 3 to which you refer does not seem to conform to
4 that kind of a situation, and therefore in my opinion this was
5 not in violation of the law of California on this subject, nor
6 in violation of federal statute and the Revenue Code.

7 MR. MARSHALL: Then you would condone this by saying
8 that in the last campaign if you'd wanted to contribute \$1,000
9 to Proposition 16 you could have done it, or Proposition 18?

10 MR. BRYANT: May I refer there, Mr. Marshall, to one
11 of the specific purposes which are set forth in the Articles
12 of Incorporation of the Forty-Niner Shops. I think you would
13 find it as Item 5 or 6 on the first page of that document, in
14 which it states that this corporation may apply any property
15 or other assets coming into its possession which are appropriate
16 to the best interests of the College.

17 Now, may I explain a little further this matter with
18 respect to Proposition 3. There was a statewide committee
19 appointed and the chairman of that committee was named by the
20 Governor. Both the Departments of Education and Finance co-
21 operated very much with that committee in preparing and dis-
22 seminating information to the public on the need of that
23 particular proposition by the State of California to provide
24 capital outlay purposes. The various state colleges, meeting
25 together, agreed to make a proportional contribution to pay
26 a portion of these costs of disseminating and preparing

1 information, and it was on this basis, as I member, that this
2 contribution was made.

3 MR. MARSHALL: Then you could use the same argument
4 to any Proposition as long as you could come to the conclusion
5 they were for the best interests of the College?

6 MR. BRYANT: I think if they were in the best interests
7 of the College and were not in violation of the law, then I
8 suppose the same argument could be used, yes sir.

9 MR. MARSHALL: And you don't think this is in
10 violation of the law?

11 MR. BRYANT: No, sir, I do not.

12 CHAIRMAN GEDDES: Pardon me, did you get any legal
13 counsel as to that question?

14 MR. BRYANT: Yes, I had an informal counsel, Mr.
15 Geddes, yes.

16 MR. HANNA: One other question, Mr. Geddes.

17 CHAIRMAN GEDDES: Mr. Hanna.

18 MR. HANNA: Do you know, Mr. Bryant, of any other
19 similar kind of organization within any of our other state
20 universities who similarly made contributions?

21 MR. BRYANT: Yes, I do, Mr. Hanna. I believe this
22 was quite the common practice throughout our system, sir.

23 MR. HANNA: I see.

24 CHAIRMAN GEDDES: Well, let me ask this question.
25 When the matter was taken up and it was voted to make this
26 contribution, was the full membership of the Board of Directors

1 present?

2 MR. BRYANT: Well, Mr. Geddes, I don't recall off-
3 hand, sir.

4 CHAIRMAN GEDDES: Well, to the best of your recol-
5 lection?

6 MR. BRYANT: To the best of my recollection there was
7 a quorum.

8 MR. GEDDES: To the best of your recollection were
9 the student members there too?

10 MR. BRYANT: Yes, sir, I'm sure they were.

11 CHAIRMAN GEDDES: And to the best of your recollection
12 was any objection raised?

13 MR. BRYANT: No objection at all, sir.

14 CHAIRMAN GEDDES: No adverse votes?

15 MR. BRYANT: No.

16 CHAIRMAN GEDDES: So it would be the same as at any
17 other Board of Directors meeting that considered business that
18 was properly on the agenda?

19 MR. BRYANT: Yes.

20 CHAIRMAN GEDDES: Any further questions?

21 MR. HANNA: One other further question.

22 CHAIRMAN GEDDES: Mr. Hanna.

23 MR. HANNA: In recalling your testimony in answer
24 to Mr. Marshall's question on the tea service, I believe it
25 was --

26 MR. BRYANT: Yes, sir.

1 MR. HANNA: (Continuing) -- now I'm not too upset
2 about the tea service -- I suppose that's a very necessary
3 adjunct to the type of social gatherings that go on in a
4 college -- but I am a little bit disturbed about who it was
5 that you said bought the tea service?

6 MR. BRYANT: May I answer your question with a little
7 preamble?

8 MR. HANNA: I wish you would, because it appeared
9 to me, I mean, I got the impression that maybe there are three
10 or four people who can control and spend your money without
11 your knowing it.

12 MR. BRYANT: No, let me first clarify the latter
13 part of your question. In addition to serving as Chairman of
14 the Board of Directors since its inception, I have been
15 vested by the Board of Directors with the additional duties
16 as the Executive Director to carry out the normal transactions
17 of the corporation between board meetings.

18 Now as the College has grown and as we are rapidly
19 approaching some aspects of a resident institution with
20 dormitories and those dormitory students will have to be fed
21 through the cafeteria until such time in the future that the
22 dormitories have their own dining facilities -- I've had some
23 experience in my early life with college book stores but I do
24 not claim to be any expert on food service -- one of the
25 members of our Board has had experience in that direction, and
26 in Board action taken some two or three months ago he was named

1 Coexecutive Director with the responsibility for the cafeteria
2 and I retained the Executive Director's function with respect
3 to the book store. Now, may I speak with regard to the tea
4 service?

5 MR. HANNA: Yes, please.

6 MR. BRYANT: I would defend the purchase of the equip-
7 ment. We have reached the point where we have a very large
8 student body. We have a great many organizations on the campus,
9 I suppose now numbering some 75, both special interests, social
10 and professional groups -- more and more as the facilities of
11 the campus have made it possible to provide the normal cultural
12 opportunities for the students. We have social affairs on the
13 campus and we have not in the past had any kind of equipment
14 that would provide reasonable facilities for that type of thing.

15 Now, to begin with I think the total amount of this
16 purchase was about eight hundred and thirty some odd dollars,
17 I don't know what and I am not sure of that exact amount --
18 I know several silver pieces were bought, I think two silver
19 plated tea sets and perhaps a coffee server. I think the
20 actual silver portion of the purchase amounted to about \$400.
21 In addition to this, there were two punch bowls of a plastic
22 substance purchased and a number of punch cups and plates.
23 And I believe perhaps one or two linen tableclothes so that a
24 decent spread could be made for these festive occasions.
25 MR. HANNA: I think that was probably a necessary
26 item.

1 MR. BRYANT: May I say just one other thing?
2 The gentleman who was serving as a Coexecutive Director of the
3 cafeteria has been in this responsibility for only a very short
4 time and I think was not as familiar with the practice of
5 the corporation on having advanced approval as, for instance,
6 I have been. I did not know of the purchase. I was somewhat
7 disturbed after it had been made and I have talked with many
8 about the matter. The Board has talked about the matter and
9 I don't think that it --

10 MR. HANNA: In other words, there are just the two
11 of you that will make purchases and there is now a better pro-
12 cedure to get approval before purchases are made, is that it?

13 MR. BRYANT: That is correct, sir.

14 VICE CHAIRMAN PORTER: Yes, Mr. Marshall.

15 MR. MARSHALL: Did I just understand you to say that
16 you have a pre-agreement from the Board to make purchases
17 without approval?

18 MR. BRYANT: No, no, I didn't.

19 MR. MARSHALL: You weren't saying that?

20 MR. BRYANT: If I created that impression, I'd like
21 to correct it Mr. Marshall. No, sir.

22 MR. MARSHALL: What do you think about hearings for
23 probationary instructors if they're not rehired?

24 MR. BRYANT: Well, let me answer that this way, Mr.
25 Marshall. Under the present law, and I would make a distinction
26 now presently between a hearing for dismissal for charge, which

1 I believe, if I may refer to Mr. Hanna's comments this morning,
2 this I would say would be highly in order. But under the
3 present law I do not believe in there being a hearing on a
4 probationary employee.

5 MR. MARSHALL: What do you think about future legis-
6 lation along this line?

7 MR. BRYANT: I would think, sir, and I am only ex-
8 pressing one man's opinion, if I were suggesting any change in
9 legislation of tenure for the state colleges, I would certainly
10 think it highly appropriate that it be divorced from the same
11 tenure law which applies to the employment of public school
12 teachers at elementary and secondary levels. Teachers at that
13 level, in my opinion and my experience, probably are not quite
14 so likely to make a life career out of it whereas college
15 teachers are. I don't think that it's quite appropriate to
16 have as short a probationary period as three years -- I refer
17 to Dr. Vasche's comment this morning when he told of the
18 University of California's practice and the practice which
19 prevails generally throughout the colleges and universities of
20 this country -- I think it ought to be in the nature of
21 probably seven years. I think that a man can probably not
22 quite disclose some of his real characteristics in such a short
23 period of time.

24 MR. MARSHALL: Well, do you think if he went to a
25 seven-year probationary period, that also included in the law
26 should be some provision for hearing on their non-rehiring at

1 the request of the person being discharged?

2 MR. BRYANT: I think again, Dr. Vasche mentioned a
3 five and seven year period in the University, and I think if
4 you had a seven year probationary period or, I think, five
5 years, a real good look could be made, and then if there were
6 problems then perhaps a hearing would be more in order under
7 the present law in my opinion.

8 CHAIRMAN GEDDES: Let me ask a question on this re-
9 lating to that.

10 MR. BRYANT: Yes.

11 CHAIRMAN GEDDES: When a teacher comes in, he gets
12 his job at the beginning of the year. Now, does he just go
13 ahead on his own or is he under the immediate supervision of
14 someone?

15 MR. BRYANT: Now, Mr. Geddes, in our expanding
16 organization we are in a better position to handle that, I
17 think, than we were some time back. The hierarchy so to speak,
18 of supervision would be first a department head, let's take an
19 area such as social sciences. Social sciences, as a division,
20 might be made of several departments, one of which might be a
21 district, and then there would be a department head and he
22 might have under his immediate supervision 10, 12, or 15
23 members of the instructional staff. Then that man, the
24 department head, would report to a division chairman, the
25 division chairman in turn to an instructional dean today. Now,
26 I think one of the problems that I guess anyone in education

1 has heard a very great deal about is this matter of supervision
2 and evaluation. It's a difficult problem at best, but I think
3 we are now in a better position to cope with it than we've been
4 in the past few years.

5 CHAIRMAN GEDDES: Well, you heard one of the gentle-
6 men this morning testify that in his opinion although it's too
7 late now that such supervision would not be regarded as inter-
8 ference, but would be regarded as helping to upbuild the
9 capabilities of the teaching staff. Do you concur with that
10 if we could make it work?

11 MR. BRYANT: Well, I would hope that college teachers
12 in general would agree to that, Mr. Geddes, but I'm sure there
13 are some who would not.

14 CHAIRMAN GEDDES: They'd say "well, I've had my
15 doctors degree and I'm going to teach as I please"?

16 MR. BRYANT: I believe you have said it very
17 succinctly, sir.

18 CHAIRMAN GEDDES: Well, we have, of course the same
19 thing in industry.

20 MR. BRYANT: Yes, sir.

21 CHAIRMAN GEDDES: However, we have one particular
22 job to do and that is to smooth out, rectify the situation at
23 Long Beach College.

24 MR. BRYANT: That's correct, sir.

25 CHAIRMAN GEDDES: In your opinion does Long Beach
26 State College do a good job in turning out a fair number of

1 well qualified graduates when they complete the course?

2 MR. BRYANT: I believe so, Mr. Geddes, yes sir.

3 CHAIRMAN GEDDES: All right, thank you very much, sir.

4 MR. GAFFNEY: I have a question.

5 CHAIRMAN GEDDES: Just a minute -- Mr. Gaffney has a
6 question.

7 MR. GAFFNEY: Dr. Bryant, we have testimony here that
8 the President merely took your letter of recommendation for a
9 non-reinstatement and signed his name to it. Now, we have your
10 testimony that you did the thing on the advice of some people
11 under you. Did you ask them why they were bringing these
12 charges, what foundation there was to the charges? Or did you
13 just take their statement and sign your name to it and forward
14 it on to the President who in turn forwarded it on to Dr.
15 Simpson, Superintendent of Public Instruction, and as a result
16 of that procedure these two gentlemen are out in the cold?

17 MR. BRYANT: I do not know what the nature of the
18 charges were, or anything; nothing has come before us in the
19 nature of charges so far today.

20 MR. GAFFNEY: But did you make any investigation as
21 to the accuracy of the charges made against either one of those
22 gentlemen or both of them?

23 MR. BRYANT: No, I did not, Mr. Gaffney.

24 MR. GAFFNEY: Merely take it for granted and signed
25 your name to it and forwarded it on to the President?

26 MR. BRYANT: I accepted the recommendation of those

1 gentlemen.

2 MR. GAFFNEY: Do you want that treatment accorded to
3 you if the case were reversed?

4 MR. BRYANT: Well, sir, I suspect that there are
5 people, many of us who have been in that situation.

6 MR. GAFFNEY: That's all the questions I have.

7 CHAIRMAN GEDDES: All right. Thank you very much,
8 sir.

9 I'd like to call Robert D. Rhodes.

10 (Thereupon Mr. Robert D. Rhodes was duly and regular-
11 ly sworn by Chairman Geddes.)

12 CHAIRMAN GEDDES: State your name and the position
13 you hold.

14 MR. RHODES: My name is Robert Dean Rhodes. My
15 position presently is entitled Dean of Arts and Sciences --
16 I beg your pardon. For the preceeding six years I've carried
17 the title which is also the budgeted position of Dean of
18 Instruction.

19 CHAIRMAN GEDDES: All right, Mr. Marshall do you have
20 some questions?

21 MR. MARSHALL: I show you a letter dated May 23, 1958,
22 addressed to Dr. J. Burton Vasche, signed by Dr. Peterson and
23 testified to by former witnesses that you handed him the
24 reasons contained in this letter. Is this true?

25 MR. RHODES: That's correct.

26 MR. MARSHALL: Concerning Frank B. Black, then, I

1 think since we finally got down to you here that we should go
2 over some of these reasons and we'd like to have you tell us
3 the foundation or where they came from.

4 MR. RHODES: All right.

5 MR. MARSHALL: Generally, as I understand it, you
6 considered Mr. Black a poor teaching risk, is that correct?

7 MR. RHODES: That is correct.

8 MR. MARSHALL: To quote this: (Reading)

9 "In the field of his teaching specialty, tests and
10 measurements, reports were continually received that he was
11 both confusing to his students and apparently confused himself
12 in the presentation of subject matter."

13 What reports were continually being received and
14 from whom?

15 MR. RHODES: I think it's necessary, if you don't
16 mind, to review a little bit the devices of evaluation that are
17 available to one. It's been hinted around here a little bit
18 during this hearing that it's difficult perhaps to get a good,
19 clean evaluation. Someone mentioned visiting classes. It is
20 done rarely in collegiate institutions. It is considered by
21 some an infringement of academic freedom. There is a
22 tradition that seems to make it undesirable, and if I have the
23 opportunity or if you'd care to, I can elaborate on that.

24 These reports then come from all sorts of sources.
25 Some are conversations with students, which are at their
26 request. Those often are the uncomplimentary comments and

1 you'd regard them with suspicion sometimes. I regularly try
2 to check back on the history of the student who comes in with
3 a big complaint. Often he is a chronic complainer. Often he
4 has poor grades. Sometimes there is a reason, so you try to
5 evaluate those, but those are the one source of information.

6 The counseling service is an area where students
7 very often have to tell their troubles, and they try to explain
8 away why they are flunking out or why they want to change
9 classes or why they are in trouble or why they are happy about
10 things -- remarks are made which you take more or less at face
11 value.

12 Comments of other faculty people are very interesting
13 at times, because in connection with individual students with
14 whom they have contact, they will give the impression that they
15 want to steer a student in one class or another, or steer him
16 away from other classes. These are all difficult things to
17 evaluate and by and large they are hearsay. I suppose they're
18 bias from a legal point of view -- you can call them straws
19 in the wind -- but a sensitive person who has very little
20 opportunity to evaluate takes the count of those things. Now,
21 specifically, these reports of poor teaching service, these
22 have come in, in this particular case, through all of those
23 sources -- students in my office, students in the counselors'
24 office, faculty people who know the field of test and measure-
25 ments.

26 MR. MARSHALL: Do you keep a record of these or do

1 you keep them in your head?

2 MR. RHODES: I never made a practice of keeping a
3 black book, Mr. Marshall. I would rather not. So I try to
4 keep these in my head. These are hearsay; these are opinions.

5 MR. MARSHALL: You were asked today to bring all
6 files, papers and reports or other materials concerning Clyde
7 V. Martin and Frank B. Black. Do you have some of those with
8 you or don't you have any records?

9 MR. RHODES: The records that have been supplied by
10 President Peterson contained all our files, records, and so
11 on. I have no particular file of my own. So I had nothing
12 that would be considered, that would do what we call for.

13 MR. MARSHALL: How many faculty members do you have
14 under you?

15 MR. RHODES: Oh, counting part-time people, approach-
16 ing 400.

17 MR. MARSHALL: In other words you have the ability
18 to keep all the complaints and everything sorted out for 400
19 people in your head?

20 MR. RHODES: No, I wouldn't say that. As a matter of
21 fact, I probably have very little information on the majority
22 of the people on the staff. The people of the staff go along
23 doing their work with no comment one way or another from any
24 of them.

25 MR. MARSHALL: One of our reasons here: (Reading)
26 "The rating received on the evaluation form as

1 submitted herewith is indicative of marginal performance."

2 Now, in the case of Frank B. Black he obtained about
3 51 which he testified this morning was in the middle of his
4 class of employment. Now, is this true or is he way at the
5 bottom?

6 MR. RHODES: The rating sheet this year was a new
7 one which was devised one hundred percent by a faculty com-
8 mittee and we had a meeting before the rating sheets were dis-
9 tributed to the various administrators to clarify any misunder-
10 standing as to how they were going to be used so we could
11 arrive at a uniform procedure. It was agreed, but apparently
12 not adhered to one hundred percent, that a rating of 50 would
13 be considered a passing grade, if you like; if a person got
14 below 50 we felt he was deficient in more ways than he was
15 adequate, and so my recollection of that discussion was that a
16 man who got 49 was considered inadequate; a score of 51 is not
17 much better.

18 MR. MARSHALL: All right. Another reason: (Reading)

19 "His conduct as a citizen in the community has made
20 him persona non grata within his residential neighborhood. He
21 has brought what appeared to be ridiculous civil law suits
22 against his neighbors, all of which have been thrown out of
23 court with appropriate admonishment by the presiding judge."

24 MR. RHODES: I'm sorry the word "ridiculous" is
25 there because that's editorialising, I'm afraid.

26 MR. MARSHALL: Do you mean to say this isn't yours?

1 MR. RHODES: Oh, yes. But, I'm sorry the word
2 "ridiculous" was included in the statement because that editor-
3 ialises it a bit.

4 MR. MARSHALL: Oh, I see.

5 MR. RHODES: This item was not received directly by
6 me but by two phone calls which were received in different
7 offices on the campus, or by different people but which were
8 relayed to me by a couple of word-of-mouth reports from
9 interested members of the staff. I can't remember who it was
10 now. I took the trouble to verify this because I thought it
11 was a rather interesting comment and -- what is the nature of
12 your question, your request?

13 MR. MARSHALL: I want to know where you got this in-
14 formation that he was "persona non grata", that he had
15 ridiculous law suits and that the judge had thrown them out
16 admonishing him in doing so?

17 MR. RHODES: These were reports that were delivered
18 to us in conversations on the telephone by two persons -- to
19 me personally -- who represented themselves as his neighbors.

20 MR. MARSHALL: And to whom were they addressed? Who
21 received the phone calls? And one you have a written memoran-
22 dum on it in the files that were presented by President
23 Peterson.

24 MR. RHODES: One was addressed to him and he being
25 away from his office -- he was away from his office -- the
26 gentlemen on the telephone insisted on telling his story to the

1 secretary who made notes which are in the file. The other
2 phone call -- I'm sorry, I am at a loss for the moment to
3 identify which office in the administration building it came to.
4 No, I beg your pardon, it also came to the President, I believe
5 to his home rather than to the College. But I'd have to ask
6 him about it.

7 MR. MARSHALL: Now, the President said he didn't know
8 anything about this. He told us that one of his deans told him
9 of this and he just signed his name to the letter and he didn't
10 know anything about the reasons.

11 MR. RHODES: Well, I think you're reading into that
12 something that he didn't mean to say. Let's take this -- do
13 you mind? Let's discuss this letter as such for a moment.

14 MR. MARSHALL: You just mentioned two phone calls
15 and my next question was going to be, is this the basis,
16 anonymous phone calls, the basis you used to dismiss your
17 employee that you don't want to keep?

18 MR. RHODES: I said this a moment ago, I found this
19 interesting enough that I verified it. I talked first to one
20 man who was himself sued. I talked to the man who was the
21 lawyer defending the parents of the child in whose yard Mr.
22 Black's son was injured.

23 CHAIRMAN GEDDES: Now, are they one and the same?
24 You talked to the attorney now and you talked to the person
25 sued. Now, was the attorney for the person sued?

26 MR. RHODES: By coincidence, yes.

1 MR. MARSHALL: Yes. All right. And now, it wouldn't
2 be any coincidence if there were more than one case, and that's
3 why I asked the question because it was brought out this morning
4 that he had instituted one suit and not a multiplicity of suits,
5 and that's why I asked the question. Was the attorney the
6 attorney for the person sued that called you direct or are we
7 to infer that there was some lack of clarity in the previous
8 response given by the former witness and that he had just one
9 suit.

10 MR. RHODES: As I understand it there were two, sir.

11 MR. MARSHALL: Two suits?

12 MR. RHODES: The one of the case of the injured child,
13 I believe, was filed in the Superior Court of Long Beach. I
14 believe Judge Gordon heard the case. It was settled for the
15 defendant. The other case, as I say probably by a sheer co-
16 incidence involved the attorney whose wife was responsible
17 apparently for an automobile accident. That suit, I believe,
18 was filed and I'm not certain of this, in a Los Angeles court.

19 CHAIRMAN GEDDES: But to the best of your recollection
20 and understanding, it's a separate and distinct suit?

21 MR. RHODES: Oh, quite.

22 CHAIRMAN GEDDES: All right. Go ahead.

23 MR. MARSHALL: Getting down to the case of Clyde V.
24 Martin, to quote here: (Reading)

25 "He has been reported by his faculty colleagues and
26 other members of the College staff to have been indiscreet in

1 his relations with clerical and maintenance personnel of the
2 College in the following particulars:

3 "(a) He has been reported by the clerical staff as
4 being under the influence of alcohol in his campus office --
5 as evidenced by his 'loud, raucous and boisterous conduct'."

6 Where did you get this?

7 MR. RHODES: That was reported to me by the Dean of
8 Students to whom it was reported by members of the clerical
9 staff of the division.

10 MR. MARSHALL: Who were the members of the clerical
11 staff of the division?

12 MR. RHODES: That I couldn't say. I'd have to refer
13 that to Dr. Russell.

14 MR. MARSHALL: In other words, Dr. Russell told you
15 this?

16 MR. RHODES: That's correct.

17 MR. MARSHALL: Did you investigate it?

18 MR. RHODES: I would take Dean Russell's word for
19 that. No, I wouldn't go back and investigate it beyond him.
20 He's the Dean of Students.

21 MR. MARSHALL: You mean if it's been reported to you
22 that one of your faculty is in the habit of being under the
23 influence of alcohol on the campus, you wouldn't look into it
24 at all?

25 MR. RHODES: This was brought to the attention of
26 the division chairman by Dean Russell and that presumably

1 should be adequate.

2 MR. MARSHALL: (Reading)

3 "He has created ..."

4 MR. RHODES: That's the line of command, if you know
5 what I mean, the line of communication and of supervision and
6 of responsibility.

7 MR. MARSHALL: (Reading)

8 "He has created difficulties within his division by
9 inviting female members of the clerical force to accompany him
10 to lunch and to coffee breaks and on occasions has detained such
11 personnel as long as 45 minutes on coffee breaks."

12 Where did you learn this?

13 MR. RHODES: Same source, sir.

14 MR. MARSHALL: Dean Russell?

15 MR. RHODES: That's correct.

16 MR. MARSHALL: You mean from now we are going from the
17 President to one of the deans to another dean?

18 MR. RHODES: Yes, I thought I made that clear earlier
19 that one uses the sources of information that are available and
20 that are reliable and these types of information come in to an
21 administrative complex through these various channels of personal
22 contact, student contact, faculty contact, phone calls from
23 outside, letters and so on. There is no office labeled
24 "grievance office" or clearing house for complaints or informa-
25 tion such as this. They filter in and we put them together as
26 we begin to evaluate people. That's why it is a joint process

1 of several deans.

2 MR. MARSHALL: I see. In other words what you are
3 saying is, over a several year period everybody keeps this in
4 their head and when it comes time to write something down you
5 all sit down around and write from your memory?

6 MR. RHODES: It's not difficult to remember that a
7 man's been reported as under the influence of liquor.

8 MR. MARSHALL: (Reading)

9 "He has disturbed the personnel of his division
10 through invitations to the female members of the clerical force
11 to join him for cocktails."

12 Where does that come from?

13 MR. RHODES: That's the extension of the previous
14 sentence.

15 MR. MARSHALL: (Reading)

16 "He has on occasion been abusive to the College
17 telephone operator and this was reported in detail to one of
18 the College deans."

19 MR. RHODES: That is correct. That's the sort of
20 thing one remembers; that happens rarely in a college.

21 MR. MARSHALL: Did this report come to you?

22 MR. RHODES: It came to Dean Russell.

23 MR. MARSHALL: (Reading)

24 "The division chairman has reported that he has
25 created a problem with the office girls."

26 What kind of a problem did he create?

1 MR. RHODES: In essence, that is the previous items
2 reiterated because -- these are odd things -- the office force
3 in education is made up of an office pool. There are three,
4 I think there are four girls, possibly five now, and there was
5 friction among the girls. This apparently contributed to it.

6 MR. MARSHALL: (Reading)

7 "He has been repeatedly reported by students for
8 telling smutty and off color jokes."

9 Did you get those reports?

10 MR. RHODES: No, those would very properly come to
11 the Dean of Students. That is, in one very real sense, the
12 Dean of Students is the thankless person; the confidence of
13 students. My work is more generally with faculty people
14 directly.

15 MR. MARSHALL: (Reading)

16 "As some evidence of his lack of drive and energy,
17 he is quite generally referred to as 'sleepy Martin' by his
18 colleagues."

19 Is this your knowledge that this is the case?

20 MR. RHODES: Yes, that's the way he's been referred
21 to me. I think that's common knowledge.

22 MR. MARSHALL: (Reading)

23 "One of our most respected school administrators of
24 this area who shared a faculty office with him one summer
25 characterized him as emotionally unstable."

26 What is this all about?

1 MR. RHODES: Just what it says.

2 MR. MARSHALL: Well, then, you mean you are saying
3 that a man says he is emotionally unstable, you remembered this
4 and put it here, and no details?

5 MR. RHODES: This is the item -- this comes from all
6 sources -- that was one of the contributions of Dean Bratton
7 who is Dean of Educational Services at summer sessions and does
8 run that program.

9 MR. MARSHALL: (Reading)
10 "Many responsible and mature individuals who have
11 been enrolled in his classes indicate that they are largely
12 devoid of any real content."

13 Where did you hear this?

14 MR. RHODES: I've had that told to me by three or
15 four students who dropped in to see me. That has also been
16 reported to people who have been in the Dean of Students'
17 office after counsel and I believe have been so reported in
18 conversation with Dean Bratton.

19 MR. MARSHALL: You say three or four students have
20 told you this?

21 MR. RHODES: Yes, that's correct.

22 MR. MARSHALL: Do you know what grade these students
23 received in his class?

24 MR. RHODES: Yes, they were pretty fair students.
25 One or two of them I had known before. Generally speaking,
26 as I say, I try to evaluate the merits of such conferences.

1 MR. MARSHALL: (Reading)

2 "He has been further rated by his divisional chairman
3 in conference with a committee of the College deans as one of
4 the least effective members of his teaching staff."

5 Now, why do you suppose, as I understand it, that his
6 division chairman told him he was recommending him for promotion
7 as well as retention and then changed his mind? Did you change
8 his mind for him?

9 MR. RHODES: That's hard to say. I have been
10 puzzled since last spring by the rating that was made on the
11 rating sheet. I was not at all surprised when we sat around
12 the table and discussed the man's merits and shortcomings that
13 the division chairman was apparently completely willing to
14 revise his estimate, but I can't interpret those actions.

15 MR. HANNA: Mr. Chairman.

16 CHAIRMAN GEDDES: Yes, Mr. Hanna.

17 MR. HANNA: Before we leave this summary of data,
18 I think there's some things that must be brought out in con-
19 nection with these enumerated matters. Let me ask you this at
20 the outset. Would you still have in your present capacity the
21 authority and the responsibility of making such reports as we
22 see here on Dr. Martin and Mr. Black at the present time?

23 MR. RHODES: Oh yes, I think it is one of my respon-
24 sibilities. It's not the most pleasant one.

25 MR. HANNA: Yes. Are you entirely satisfied with it
26 or if you had this to do over again, would you make any

1 substantial changes in the manner of reporting as you have done
2 here?

3 MR. RHODES: No, I think not. No.

4 MR. HANNA: Now, let's go on to another point then on
5 these things that bother me. When you say in (c) "He has
6 created difficulties within his division by inviting female
7 members of the clerical force to accompany him to lunch and
8 coffee breaks and on occasion has detained such personnel for
9 as long as 45 minutes on coffee breaks," in your mind is this a
10 statement of fact that you yourself know personally to be a
11 fact?

12 MR. RHODES: No, this is, as I said at the beginning,
13 this is hearsay from a legal point of view.

14 MR. HANNA: Being a lawyer you just have me tremen-
15 dously shaken when you say this because, you see, I believe
16 that you have made statements which must be and they are in
17 their very contention taken as a statement of fact, and when
18 you say to me that what you intended to relay was a statement
19 of a report, it seems to me that you are so misguiding the
20 person who is reading the matter that it certainly is not a
21 practice that should be continued under any circumstance.

22 I submit also that when you say that he has --
23 continuing in (d) and (e) -- on the matter of the disturbance
24 of personnel and abusiveness to the telephone operator, you are
25 saying to me, and I don't know whether you are saying this to
26 the other Committee members, but you are saying to me: "Mr.

1 Hanna, this is a fact." And it would seem to me that when you
2 give us the basis of this statement as being as you have
3 characterized it "hearsay", you see you are just shaking at the
4 very foundations the things that we tend to believe as facts to
5 support the very important and I am sure you realize the very
6 important function which you are intending to carry out here.

7 Now, I will ask you again: do you think that if you
8 were to continue on in making the reports as called for in this
9 matter that you would continue to make those reports in the
10 same manner as the report herein is made?

11 MR. RHODES: Oh, I might be a bit gun-shy.

12 MR. HANNA: I hope and trust that you will be.

13 MR. RHODES: But now, let's take the one you mentioned
14 here, "abusive to the telephone operator." When I say "hearsay"
15 I would define that word this way -- and I am not a lawyer --
16 I do not have an affidavit to that effect nor transcription of
17 the conversation nor anything that I can present as written,
18 substantiated evidence. So what I report is a report of a
19 conversation and that, from your point of view is, I believe,
20 hearsay, correct?

21 MR. HANNA: Now, you see what I say is a fact, and
22 I don't want to belabor this because we all know what we are
23 talking about -- it may be a fact that Miss A, who is a tele-
24 phone operator reported to me, speaking as you, that --

25 MR. RHODES: That is a fact.

26 MR. HANNA: (Continuing) -- that Dr. Martin was

1 abusive to her. Now, that could be reported as I understand it
2 as a fact.

3 MR. RHODES: That is a fact. Now, whether he was
4 abusive or not she has to verify it.

5 MR. HANNA: You see, because that is a conclusion
6 within her mind, is it not?

7 MR. RHODES: Correct.

8 MR. HANNA: All right. Then we understand each other
9 on this matter. Then, let me ask you just one other question in
10 regard to your function here. In regard to any one of these
11 charges, which I assume accumulated over a period of time -- is
12 this not true?

13 MR. RHODES: That's correct.

14 MR. HANNA: In regards to any one of these single
15 changes, still following the time when they were made, did you
16 ever bring Dr. Martin forward to get his side of any one of
17 these particular complaints?

18 MR. RHODES: In our organization, and you must
19 remember that in a school organization the school is large and
20 we are trying to organize --

21 MR. HANNA: Pardon me, when I interrupt will you
22 pardon me for being a lawyer first? Will you just answer yes
23 or no and then explain what you mean by "yes or no"?

24 MR. RHODES: All right. Then the question?

25 MR. HANNA: The question was, did you ever bring Dr.
26 Martin before you or have one of the superiors underneath you

1 do that for you when you received one of those complaints?

2 MR. RHODES: I do not take up such matters personally.
3 I relay them down the line of supervisory persons.

4 MR. HANNA: Did any of those persons bring him to
5 them, to their presence? Did they bring Dr. Martin to their
6 presence to ask, on your behalf, questions about his side of
7 these matters?

8 MR. RHODES: I assumed that that had been done. I
9 may have been mistaken.

10 MR. HANNA: You have no report that it was done?

11 MR. RHODES: Conflicting.

12 MR. HANNA: All right. Do you think it should have
13 been done.

14 MR. RHODES: Absolutely.

15 MR. HANNA: All right.

16 MR. RHODES: Now, wait a minute, you said "it should
17 have been done"?

18 MR. HANNA: Yes.

19 MR. RHODES: And I say, yes.

20 MR. HANNA: Yes?

21 MR. RHODES: Correct.

22 MR. HANNA: Because it just occurred to me that in
23 checking up on, for instance this matter of the law suit and
24 there again, pardon me for being a lawyer, I understand that
25 you went to the lawyer of the defendant and I presume he told
26 you that the plaintiff had a lousy law suit, and being a lawyer

1 I'm not surprised that he came to that conclusion. I am just
2 wondering -- I am serious about this -- because I'd rather
3 suspect that if you had contacted the plaintiff's attorney, his
4 report to you would have been that a gross injustice had been
5 perpetrated in the courts. And I just wondered if you had con-
6 tacted the other side?

7 CHAIRMAN GEDDES: Mr. Hanna, I am going to let the
8 witness answer but I think we are going to come to a place
9 pretty soon where we are going to stipulate that we have a
10 merry-go-round here -- and I don't hate the lawyers -- but I'll
11 exercise my authority. Now, if I haven't thrown you off, the
12 question is --?

13 MR. HANNA: I'll withdraw the question.

14 CHAIRMAN GEDDES: All right, fine. Do you have any-
15 thing more, Mr. Marshall?

16 MR. MARSHALL: Would you briefly tell us about the
17 agreement between Biola Bible College and Long Beach State
18 College, the training of their pupils and perhaps if I put
19 words in your mouth here for a moment, you say whether it's
20 true. My understanding is that there's an agreement in existence
21 for Long Beach State College to allow Biola Bible College
22 students to attend Long Beach State College. They can take a
23 teaching course there and then in some way in taking a teachers
24 course at your college they are accredited to teach in the
25 public schools of California. Now, if the state doesn't think
26 they are accredited, are you lending the name of Long Beach

1 State College so that these people can teach in the schools of
2 California?

3 MR. RHODES: I think there's nothing sinister in this.
4 This is rather common practice, and Dr. Vasche has a statement
5 which goes back and cites the appropriate sections of the law --
6 I think he has -- have you made that available to the Committee?

7 DR. VASCHE: Yes.

8 MR. RHODES: Would that satisfy you?

9 CHAIRMAN GEDDES: Well, let's say this: if it's avail-
10 able to the Committee it would show this and excuse me, Mr.
11 Marshall, but I just want to speed this up, that there has been
12 a question as to whether it can be done, that is legally and
13 under the statutes that Dr. Vasche has given an opinion that it
14 could be --

15 MR. RHODES: Correct.

16 CHAIRMAN GEDDES: (Continuing) -- presuming that his
17 opinion is based on advice of counsel --

18 MR. RHODES: Correct.

19 CHAIRMAN GEDDES: (Continuing) -- to which he is
20 entitled and that you have acted on the basis of that opinion
21 in making the arrangement with Biola Bible College?

22 MR. RHODES: The arrangement was made at the insti-
23 gation of the State Department.

24 CHAIRMAN GEDDES: Does that answer the question, Mr.
25 Marshall?

26 MR. MARSHALL: Yes.

1 CHAIRMAN GEDDES: O.K. Any further questions?

2 MR. GAFFNEY: Yes, Mr. Chairman.

3 CHAIRMAN GEDDES: Mr. Gaffney.

4 MR. GAFFNEY: Were you the original author of the
5 charges against these gentlemen that finally reached Mr. Roy
6 Simpson the Superintendent of Public Instruction?

7 MR. RHODES: I supplied the information, sir. Dean
8 Bryant writes more smoothly than I. He wrote it.

9 CHAIRMAN GEDDES: And you got your reasons from some-
10 body else?

11 MR. RHODES: The reasons come from various sources
12 but I will take the responsibility for the statements, yes sir.

13 MR. GAFFNEY: I'd just like to know. That's all.

14 CHAIRMAN GEDDES: We'll take a five minute breather
15 and immediately after we reconvene I would like to recall Dr.
16 Martin to the stand.

17 (Recess)

18 CHAIRMAN GEDDES: Dr. Martin would you come forward,
19 please?

20 (Thereupon Dr. Clyde V. Martin having been previously
21 duly and regularly sworn by Chairman Geddes resumed the stand
22 and testified as follows:)

23 CHAIRMAN GEDDES: Dr. Martin, I just want to ask you
24 if you want to change your testimony as far as having been
25 involved in just one civil case and the previous witness said
26 there were two. That wasn't your case was it?

1 DR. MARTIN: Wrong case.

2 CHAIRMAN GEDDES: O.K., pardon me. I'll call Mr.
3 Black.

4 (Thereupon Mr. Frank B. Black having been previously
5 duly and regularly sworn by Chairman Geddes resumed the stand
6 and testified as follows:)

7 CHAIRMAN GEDDES: Mr. Black, the previous witness just
8 testified that to the best of his recollection there were two
9 cases, civil cases, which you brought, one in Long Beach and one
10 perhaps in Los Angeles Courts. Do you wish to change your
11 testimony? We had it pretty definite in the record that there
12 was just one in which you were involved.

13 MR. BLACK: If you refer -- I'm not sure on these
14 legal terms -- as to what is a case filed and all that sort of
15 thing, can I just tell you what happened and then you can tell
16 me --?

17 CHAIRMAN GEDDES: Now, just let me say, you told us
18 in quite some detail and I think you were certainly entitled to
19 sue for relief in the case of your child that was injured --

20 MR. BLACK: Yes.

21 CHAIRMAN GEDDES: (Continuing) -- and the testimony
22 was pretty clear that that is the best you could remember, was
23 the only case which you gave --

24 MR. ELLIOTT: Mr. Chairman.

25 CHAIRMAN GEDDES: Mr. Elliott.

26 MR. ELLIOTT: Wasn't the statement in there involving

1 his neighbors, the case involving his neighbors?

2 CHAIRMAN GEDDES: It may be his, and so forth.

3 MR. ELLIOTT: I don't think it was just a case; it
4 was involving his neighbors.

5 CHAIRMAN GEDDES: It was plural so have you been
6 involved in more than one case?

7 MR. BLACK: With my neighbors?

8 CHAIRMAN GEDDES: Yes.

9 MR. BLACK: No, sir.

10 CHAIRMAN GEDDES: Well, you were involved in another
11 case where you brought suit?

12 MR. BLACK: An automobile accident, once.

13 CHAIRMAN GEDDES: All right. That's all. I think
14 that clarifies it.

15 MR. ELLIOTT: Mr. Chairman.

16 CHAIRMAN GEDDES: Mr. Elliott.

17 MR. ELLIOTT: Let's get it clear, if you don't mind.
18 I think first of all, how many civil cases have you been
19 involved in in the last two years?

20 MR. BLACK: I've been involved in none in the last
21 two years.

22 MR. ELLIOTT: I mean -- pardon me -- the last ten
23 years.

24 MR. BLACK: Oh, ten years? I can recall --

25 MR. ELLIOTT: I'll make a correction there -- five
26 years -- or another correction: during the term in which you

1 taught at school. That would be better.

2 MR. BLACK: I was involved in no civil or other law
3 suits while at Long Beach State College, none at all.

4 MR. ELLIOTT: None at all?

5 CHAIRMAN GEDDES: Before you went to Long Beach State
6 College?

7 MR. BLACK: Before, yes. That was several years ago.

8 CHAIRMAN GEDDES: Then before you went to Long Beach
9 State College you weren't involved in more than one?

10 MR. BLACK: Possibly two: automobile accident in which
11 the person said he had no insurance and so I turned the matter
12 over to my lawyers. I give legal matters to lawyers and medical
13 matters to doctors and plumbing matters to plumbers.

14 CHAIRMAN GEDDES: I just didn't want somebody coming
15 in here trying to impeach and I wanted that in the record is
16 all. Thank you very much. Can we have Willard Van Dyke please?

17 (Thereupon Dr. Willard Van Dyke was duly and
18 regularly sworn by Chairman Geddes.)

19 CHAIRMAN GEDDES: You'll state your name and the
20 position you hold at Long Beach State College please.

21 DR. VAN DYKE: My name is Willard H. Van Dyke. I am
22 Professor of Education at Long Beach State College.

23 CHAIRMAN GEDDES: All right. Go ahead, Jim.

24 MR. MARSHALL: How long have you been at Long Beach
25 State College?

26 DR. VAN DYKE: This is my sixth year.

1 MR. MARSHALL: During the past year or years you were
2 the one time chairman of the Division of Education and
3 Psychology at Long Beach State College?

4 DR. VAN DYKE: I served in that capacity, yes sir.

5 MR. MARSHALL: And at the time that Dr. Martin and
6 Mr. Black were not retained, you were chairman?

7 DR. VAN DYKE: That's right.

8 MR. MARSHALL: During the time they were instructors
9 under you, did you consider them good college instructors?

10 DR. VAN DYKE: Yes, they were satisfactory as college
11 instructors.

12 MR. MARSHALL: Did you participate in the rating
13 sheets that were made on these men?

14 DR. VAN DYKE: I did.

15 MR. MARSHALL: You considered a 63 for Dr. Martin
16 and a 51 for Mr. Black as fair evaluations of their work?

17 DR. VAN DYKE: They were high enough to justify my
18 recommendations.

19 MR. MARSHALL: You recommended them for not only
20 retention but, in the case of Dr. Martin, for promotion?

21 DR. VAN DYKE: That's right.

22 MR. MARSHALL: What changed your mind?

23 DR. VAN DYKE: When I met with the deans and they
24 presented a great deal of information that had not come to my
25 attention previously to that. I accepted --

26 MR. MARSHALL: What did they tell you?

1 DR. VAN DYKE: Well, they told me, presented the
2 things we've heard this afternoon. They spoke of a number of
3 cases where reports had come to them, primarily the one that I
4 remembered particularly dealt with their instruction. They
5 said that the reports had come from students. Each one reported
6 that a number of students had reported that the instruction was
7 not up to standard, that they were not prepared, that their
8 examinations were not fair in that they did not cover the work
9 that had been covered in classes.

10 MR. MARSHALL: However, in your dealings with these
11 two men, you didn't find that so?

12 DR. VAN DYKE: I had not to the extent that I
13 wouldn't recommend their re-employment.

14 MR. MARSHALL: Did you have complaints from students
15 and others of what they were doing in class?

16 DR. VAN DYKE: Oh, I had a few of them of minor
17 nature but not enough to justify not making a recommendation.

18 MR. MARSHALL: Did you observe that Dr. Martin and
19 Mr. Black got along with their students all right?

20 DR. VAN DYKE: As far as I could tell.

21 MR. MARSHALL: Did they consult with them for instance?
22 I mean, did students come in to consult with the two men about
23 the classes?

24 DR. VAN DYKE: Certainly.

25 MR. MARSHALL: Everything looked satisfactory to you?

26 DR. VAN DYKE: Everything looked satisfactory.

1 MR. MARSHALL: And then it was just on rumors or
2 reports from students to one of the deans that we haven't heard
3 from yet, I guess, that you decided to change your mind?

4 DR. VAN DYKE: Well, I accepted their decision. When
5 I went in to meet with them, they told me that they were unable
6 to go along with my recommendations for these two men, and they
7 gave their reasons and that was their reasons for doing it, and
8 they were justified and felt that they had good reason for
9 feeling that way, and I went along with them.

10 MR. MARSHALL: Well, in this administrative structure
11 at Long Beach State College, where did you fit in on this
12 matter?

13 DR. VAN DYKE: I made my recommendations to the dean.

14 MR. MARSHALL: What would have happened if you had
15 stuck with your original recommendations?

16 DR. VAN DYKE: I don't think it would have made any
17 difference.

18 MR. MARSHALL: Why did you change your mind then?

19 DR. VAN DYKE: Well, I said I accepted -- they were
20 my superiors -- and they said they couldn't go along with it,
21 gave me some very good reasons why they had made up their minds
22 that these men should not be re-employed, and so naturally I
23 accepted after making a plea. They will all tell you I made
24 the strongest plea I could for the men, told them about their
25 strong points, but then I accepted their decision over mine and
26 went along with them.

1 MR. MARSHALL: In other words, what you are saying is
2 that your bosses told you to do this so you did it even though
3 you didn't believe it?

4 DR. VAN DYKE: No, they didn't tell me that.

5 MR. MARSHALL: But you're saying you didn't believe
6 it, that they should be re-employed?

7 DR. VAN DYKE: I'm not saying that, I don't think.

8 CHAIRMAN GEDDES: Well, let me ask the question this
9 way: you made your recommendation on the basis of teaching
10 competency primarily?

11 DR. VAN DYKE: That's right, trying to.

12 CHAIRMAN GEDDES: Disregarding the beefs that can
13 originate in a College, then when you met with your colleagues
14 they had reasons which had little to do with academic proficiency
15 but had to do with personal matters which if they were sub-
16 stantiated could cast a cloud?

17 DR. VAN DYKE: That's right.

18 CHAIRMAN GEDDES: So you thought that those out-
19 weighed or at least had equal value with your recommendation?
20 You had no occasion to change your recommendation as far as
21 their ability to teach was concerned, did you?

22 DR. VAN DYKE: No.

23 CHAIRMAN GEDDES: Is that what you want?

24 MR. MARSHALL: We heard a remark earlier today about
25 someone being accused of over-preparing for a class. Could you
26 clarify this?

ALEX C. KAEMPFER

CERTIFIED SHORTHAND REPORTER

4128 BRUHN COURT, SACRAMENTO 21, CALIFORNIA

1 DR. VAN DYKE: On my best recollection, I don't
2 believe I ever made a statement of that kind.

3 MR. MARSHALL: What's meant by "over-preparing"?

4 DR. VAN DYKE: I'd like to know.

5 MR. MARSHALL: What do you think, Dr. Van Dyke, is the
6 matter between the faculty and the administration at Long Beach
7 State College? There is obviously something the matter. What
8 is your opinion?

9 DR. VAN DYKE: It's just opinion.

10 MR. MARSHALL: Yes, sir?

11 DR. VAN DYKE: I think there's been a break-down of
12 proper communication both ways from the top down and from the
13 bottom up; in relationship to Black and Martin I was not aware
14 of the facts or the reasons the deans had in regard to the com-
15 plaints they had about the men and if I had had that information
16 my recommendation might have been different in the first place.

17 MR. MARSHALL: Do you think as head of this depart-
18 ment you should have had that?

19 DR. VAN DYKE: Certainly.

20 MR. MARSHALL: Have things changed at Long Beach
21 State College?

22 DR. VAN DYKE: I think they are getting better.

23 MR. MARSHALL: You mean --

24 DR. VAN DYKE: Better communication.

25 MR. MARSHALL: (Continuing) -- there is better
26 communication?

ALEX C. KAEMPFER

CERTIFIED SHORTHAND REPORTER

4128 BRUHN COURT, SACRAMENTO 21, CALIFORNIA

1 DR. VAN DYKE: I think so. I'm out of the office now
2 but as I observe it I think that's true.

3 MR. MARSHALL: Do you think that such a thing as the
4 Martin and Black case could happen today at the College, that
5 men could be not rehired without a department head knowing the
6 reasons ahead of time?

7 DR. VAN DYKE: You mean prior to the evaluation?

8 MR. MARSHALL: Yes.

9 DR. VAN DYKE: No, I don't think so.

10 MR. MARSHALL: That's all I had.

11 MR. PORTER: I have one question, Mr. Chairman.

12 CHAIRMAN GEDDES: Yes, Mr. Porter.

13 MR. PORTER: Dr. Van Dyke, were you restored to your
14 professional rank of teaching in the classroom as a result of
15 this case?

16 DR. VAN DYKE: I think that had quite a bit to do
17 with it.

18 CHAIRMAN GEDDES: All right, thank you very much, sir.

19 All right, Dr. Wilde, will you come forward please?

20 (Thereupon Dr. Richard H. Wilde was duly and regularly
21 sworn by Chairman Geddes.)

22 CHAIRMAN GEDDES: If you'll be seated, please, and give
23 your name and title and position that you hold at the Long
24 Beach State College to the reporter.

25 DR. WILDE: My name is Richard H. Wilde. I am an
26 Associate Professor of History at Long Beach State College.

1 CHAIRMAN GEDDES: You weren't here during the morning,
2 sir, and we were just about to excuse you on the representation
3 that I had made that you were ill but there's one thing that
4 was brought out, and that is that very early the first time the
5 contact was made with you and others, and Dr. Vasche in
6 Sacramento, that it was pointed out at that time that as far
7 as the legal status of the President of a college was concerned
8 and also the right of the State Department of Education to go
9 over his head and upset the ruling, that that was made fairly
10 clear. Does that coincide with your recollection?

11 DR. WILDE: Well, I don't recall that it's as clear
12 as that. I don't think I ever got the idea that the State
13 Board of Education at that time had no jurisdiction, though
14 subsequently the Attorney General's Opinion was to that effect.

15 CHAIRMAN GEDDES: Yes, not only that, but when you
16 first wrote me, I wrote just a layman's opinion on the law,
17 that it very clearly stated --

18 DR. WILDE: Yes, there was no question in the
19 faculty's mind about the legal position of the President in
20 this. It was a question of the ethical conduct of the admin-
21 istration and the effect of this case upon faculty-administration
22 relations generally, and it was with that we were primarily con-
23 cerned.

24 CHAIRMAN GEDDES: And you felt very strongly presuming
25 this and that's why you continued your efforts primarily in
26 behalf of Martin and Black, is that right?

1 DR. WILDE: Yes, and I think we are continuing our
2 efforts largely because we think these men are entitled to have
3 their good names cleared. I might say that the hearing today
4 is the first time we have ever had any knowledge of the sub-
5 stance or the merits of the cases themselves, though we did
6 make as a faculty group from the beginning suggestions that the
7 merits of the cases be discussed either with the full profes-
8 sors of education who served as an evaluating committee or with
9 the all-college committee on promotion and tenure with an
10 ad hoc committee of the faculty association and a group nomi-
11 nated by the President. The idea would be that a discussion of
12 the merits of the cases could take place. Then if the faculty
13 group were convinced that the non-retention of these men was a
14 proper exercise of the prerogative of the President and not an
15 arbitrary and unjust act based on unfounded charges or unevalu-
16 ated evidence, then the faculty group which I was secretary of
17 would have been quite happy to have dropped the matter, and I
18 think we would have had quiet at the College much sooner.

19 CHAIRMAN GEDDES: And it's your understanding I believe
20 that this Committee has no power of reinstatement or even
21 punishment of the President of the College?

22 DR. WILDE: I quite understand that. You wrote that
23 to me very clearly, sir.

24 CHAIRMAN GEDDES: I have here a communication to
25 members of the State Board of Education. It's dated May 28th,
26 and one paragraph says: (Reading)

1 "Second, we believe that until Dr. Martin and Mr.
2 Black are rehired, or until some faculty group is fully and
3 frankly informed about the procedures used in their cases and
4 passes independent judgment upon the derogatory information
5 alleged to exist against them, there will be no restoration of
6 confidence or recovery of morale on campus."

7 Now, when that was written it would seem to me in
8 analyzing it that there was still some doubt as to whether, if
9 the two persons who had been not rehired, were rehired that this
10 would continue. Now, the reason I point it out is that we can't
11 provide or guarantee for their being rehired. Now, with this
12 airing in the testimony and the testimony that's been adduced,
13 can we get together and proceed to go forward and more or less
14 stipulate that we've now come to what we wanted to find out as
15 to the actual facts of the case and go on to discussion of co-
16 operative movement to provide for fairer treatment in the future?

17 DR. WILDE: Well, sir, I think we should point out
18 that in the Constitution for a Faculty Council we have pro-
19 vision for an appeal procedure, and this appeal procedure works
20 within the college and it works beyond the college in our
21 estimation.

22 As we understand it, you would also want, I think,
23 to have a proper faculty group to pass some independent judg-
24 ment or sit with the administration in a case where it arouses
25 as much controversy as this, so we set up this appeal procedure
26 within the college. Then if no satisfactory solution could be

1 found to this problem, what we would like to have is a board
2 with appellate jurisdiction above us. I might say that this has
3 been indicated to you -- it's apparently denied to us, the
4 State Board has no jurisdiction over the Attorney General and
5 in other types of grievance cases, because after all not re-
6 ceiving tenure is one type of grievance that can arise at a
7 college or perhaps some controversy over an academic issue or
8 educational policy, and we would like to feel free to appeal.

9 Now, I think we can carry this appeal to the State
10 Board as a matter of fact and my understanding is that Dr.
11 Simpson feels we should not do so but I'm not sure the Board
12 would refuse to hear us if we went to them any more than they
13 refused to listen to us initially in this case.

14 Anyhow, we do have his very strong opinion that this
15 would be interfering in the individual administrations of
16 colleges. To our mind I think it's necessary for an appeal
17 when a deadlock occurs between administrators and faculty on a
18 campus.

19 CHAIRMAN GEDDES: Well, of course you're now making
20 your appeal to this Committee and this Committee can cure the
21 situation if we can come to a meeting of minds among ourselves
22 to make a recommendation for legislation which, in my opinion,
23 and I'm not a constitutional lawyer or any other kind, it
24 would be necessary for the State Board and Dr. Simpson, and
25 they can hear you, but it's pretty clear that they cannot
26 reverse the decision which is provided for in the law that the

1 president of the college is the sole recommending power.

2 DR. WILDE: That's true. I was trying to draw a dis-
3 tinction between a case of a recommendation of a president, of
4 a person to be a faculty member, and other types of appeals
5 which might arise on the campus. I think with respect to this
6 second category of items, the decision is not as clear as it is
7 with the first as to the absence of powers that we do have that
8 in Dr. Simpson's opinion that these are perhaps, would be
9 unwisely accorded to the Board.

10 CHAIRMAN GEDDES: All right, sir. Mr. Marshall.

11 MR. MARSHALL: You are representing a faculty organi-
12 zation here today, Dr. Wilde?

13 DR. WILDE: That's right, sir.

14 MR. MARSHALL: Will you tell us what it is?

15 DR. WILDE: Well, I have been secretary of what we've
16 called the Faculty-Administration Relations Committee of the
17 Association of California State College Instructors, local
18 chapter. I was also secretary of the steering committee which
19 drafted the Faculty Constitution.

20 MR. MARSHALL: What percentage of the faculty at
21 Long Beach State College belong to this organization?

22 DR. WILDE: Well, something over 85% right now and
23 there are more coming in.

24 MR. MARSHALL: And do you think the actions that have
25 recently been made in the name of your organization are repre-
26 sentative of the 85% of the faculty who belong to the

1 organization?

2 DR. WILDE: Well, I think so, for this reason. We
3 issued a statement of our program which involved five or six
4 items, the last of which was to seek a hearing of this sort and
5 the reactions to that publication which went out to the faculty
6 and the reaction to the reading of those proposals at our meeting
7 was apparently entirely one of approval.

8 MR. MARSHALL: Do you have a short statement you'd
9 like to make to the Committee?

10 DR. WILDE: Well, I have a long statement which I can
11 try to shorten.

12 MR. MARSHALL: Let me point out that time is of the
13 essence here and we will accept your long statement into the
14 record. If you would care to make any brief points there now is
15 the time to do it.

16 DR. WILDE: Well, the substance of my long statement
17 really is along two lines: one is that I think the real
18 differences between the faculty and the administration at Long
19 Beach State College arise out of differences of philosophy about
20 what higher education is. That is, of course, a long story and
21 if I can make a short statement I can't go into it.

22 Secondly, I think that we are coming to a very dif-
23 ficult situation in the work of our Faculty Council as I observe
24 it. We have as you know committees studying just about every-
25 thing of importance on a college campus now and I, as head of
26 a subcommittee, hiring policy on procedures. In this capacity

1 I have found that the faculty by and large would like us to
2 draw up some do's and don'ts, which are pretty iron-clad as to
3 how administrators should go about the process of hiring.

4 Many of the persons in an administrative position
5 feel that this would tie them up too much, and I sense here a
6 real dilemma. How do you write do's and don'ts if you don't
7 have confidence in your administrators and still leave them
8 latitude to run the college effectively? And this particular
9 dilemma in my mind could only be resolved in one of two ways
10 to give the administrators enough authority virtually to crush
11 the faculty or to give the authority to the faculty and academic
12 senate, or as openings occur and there are several, I think,
13 right now which may be open at our College: the Vice Presidency
14 and a Dean of the College. I am not sure but it seems accord-
15 ing to Management Survey 828 these things may be authorized or
16 close to being authorized.

17 We would like as a faculty at least those of us who
18 feel we are academically inclined, we would like to see strong
19 administrators come in who have had experience in administration
20 in major colleges and universities. We believe that for a
21 faculty to try to draw up do's and don'ts and then to watch
22 administrators day by day sap ~~their~~ energies excessively. We want
23 administrators in whom we can have confidence; we want depart-
24 ment chairmen in whom we can have confidence; we want division
25 chairmen in whom we can have confidence. And we don't always
26 have these, and I think that is another source of great

1 difficulty.

2 I might say that in submitting my statement I am sub-
3 mitting with it something which may be of interest to this
4 Committee. I am submitting my intercorrespondence as secretary
5 of the Faculty-Administration Relations Committee and sometimes
6 as dual secretary of that and a steering committee, correspond-
7 ence which has been held with President Peterson, with Dr.
8 Vasche, and Dr. Simpson and the State Board since the inception
9 of the crisis starting with Martin and Black, and the A.C.S.C.I.
10 meeting on the 28th of March. I think in going through this
11 correspondence you will see several things, that we had great
12 difficulty in bringing our administrators into a position where
13 they would talk with us. We were finally able after much
14 energetic work to accomplish this purpose. With Dr. Simpson we
15 experienced some difficulty in getting on the agenda of the
16 State Board meeting at a time when faculty members could appear.
17 The State Board meets Thursday, Friday and Saturday and he was
18 inclined on one point to put the business on Thursday or
19 Friday when he knew by our previous correspondence we couldn't
20 appear, and it was only I must admit after calling upon the
21 assistance of some members of Senate and Legislature of the
22 State of California that this was changed. I am not saying it
23 was because of this, but there was at least this same sequence
24 which I think we should know. So we have experienced some
25 difficulties and I think these difficulties do appear.

26 I think the faculty has taken the initiative in

1 conducting the work at the College. I think by and large the
2 constructive work with the Faculty Council and committees, the
3 fact that two faculty members do attend on the President's
4 Council and the President of the Deans does sit with the Faculty
5 Council, all of these things were suggested as a part of our
6 Constitution which we drafted and which we thought would be a
7 useful instrument in our situation.

8 I think that's all I have to say. Thank you.

9 CHAIRMAN GEDDES: Would you like to have this proposed
10 constitution implemented by legislation so that if it were
11 adopted and the Legislature gave it its blessing that there
12 would be the appeals either to the State Department of Education
13 or to the State Board.

14 DR. WILDE: Well, Mr. Geddes, I think when we origin-
15 ally came to you we thought perhaps the tenure law needed
16 changing. Now, I don't think that is quite as good a solution
17 as to say that there should be a proper appeals machinery on
18 the campus. Then when this appeals machinery has had a chance
19 to operate, you will, by setting up a means of going beyond, in
20 fact settle most of your disputes locally, and I think this will
21 be a solution to the problem which a governing board for state
22 colleges might feel it had, namely getting involved in too many
23 appeals either, for example, that until proper appeals machinery
24 on the campus has been exhausted, it would perhaps be wrong to
25 carry it immediately to a governing board. So I now think this
26 would be a better solution, now what we are planning more

1 directly to be the key of the Faculty Council, and I think all
2 we need legislatively is a fairly general statement authorizing
3 something in the nature of an academic senate or a Faculty
4 Council which could be done in general terms.

5 I think various colleges find various ways of solving
6 its problems. I don't think you'd want to legislate any one
7 constitution for the colleges, but as I understand it the Board
8 of Regents, say, of the University of Wisconsin simply authorize
9 certain things. They simply have authorized the formation of
10 an academic senate with very general powers assigned to it, but
11 the fact that this has become policy gives them a standing in
12 fact that they do not have. We have got our Faculty Council as
13 a result of some warfare. It amounts to a treaty of peace.
14 This is not a good way. I think it would be better if such
15 things were guaranteed clearly by legislation. But I think it
16 would have to be in general terms.

17 CHAIRMAN GEDDES: What would be your feeling as to
18 necessity for legislation which would put the management of the
19 state colleges on a separate Board?

20 DR. WILDE: Well, Mr. Geddes, I appeared at Fresno
21 along with other members of the various state college faculties
22 and I must say I am very much in favor of this. I do feel that
23 the state colleges have come of age. They are involved in
24 strong, liberal arts programs, programs such as letters and
25 science programs, and that the teacher training function has
26 become only one of many functions on those college campuses.

1 Each one of them has a strong college of education,
2 if I might call it that, using university parlance, but I think
3 strong letters and science branches is also necessary. I don't
4 think you should allow the idea of a school of education to
5 intrude upon letters and science field any more than you should
6 let letters and science people invade the training of teachers
7 in the college of education. I think all of these problems
8 might be better achieved under a separate Board. I think there's
9 a bias now in favor of domination by the public school of every
10 attitude which I don't think is in tune with the best traditions
11 of higher learning in colleges and universities.

12 CHAIRMAN GEDDES: With the recognition that there's
13 more or less reluctance to create new Boards and Commissions
14 at least the last ten years that's been the story, do you feel
15 that what permissive legislation is necessary to have what you
16 pointed out in the forepart of your testimony is more important
17 than the question of state college board which isn't really
18 before this Committee?

19 DR. WILDE: Well, Mr. Geddes, I think we come back to
20 this matter of philosophy, what higher education is all about.
21 Those of us who are devoting our lives to the business of teach-
22 ing and writing and researching in the area of higher education
23 come out of tradition in colleges and universities where we were
24 trained. When doctorates were conferred upon us a group of
25 scholars commissioned us to go on and carry on the torch of a
26 body of knowledge in the search for truth. We honestly feel

1 that this could be better accomplished under a separate board,
2 under separate administration which would be concerned with
3 higher education alone and could give us its full time and
4 energies to making these enormous and fast growing state colleges
5 truly effective institutions of higher learning.

6 CHAIRMAN GEDDES: All right, thank you very much.
7 Would you give your full and complete statement to the reporter
8 please, and it will be incorporated just as if you had gone
9 through the whole thing.

10 DR. WILDE: I have another copy which is not marked.

11 MR. GAFFNEY: I have a question, Mr. Chairman.

12 CHAIRMAN GEDDES: Yes, Mr. Gaffney has a question.

13 MR. GAFFNEY: Dr., don't you think it would be advisable
14 in keeping with the self autonomy of the state colleges to
15 remedy this matter administratively? In other words, have the
16 President appoint four members of the faculty as a grievance
17 committee and then if some member of the faculty has a grievance
18 he can bring it before that committee and in turn if there are
19 charges made against a member of the faculty it can come before
20 that grievance committee and then if the charges are sustained
21 the man goes out if he has not reached the end of his probation-
22 ary period and taken on tenure, but the thing here before us
23 today shows the lack -- in other words, we have to figure the
24 scholastic standard of the college and preserve that, but we
25 also have to figure the rights and dignity of the human individ-
26 ual, the teacher; otherwise we are going to have a situation

1 where highly endowed academic men won't come into respected
2 colleges because they figure maybe somebody will get on the
3 phone and say they are nuts or something, and that somebody
4 says that may be so and so tells somebody else, and somebody
5 else tells somebody else, and Dr. Simpson gets a letter. That's
6 all my suggestion and in that way you don't even need legisla-
7 tion.

8 CHAIRMAN GEDDES: Thank you Mr. Gaffney. Thank you
9 very much, Dr. Wilde.

10 (The statement of Dr. Richard H. Wilde is incorpor-
11 ated into the record as follows:)

12 "Statement by Richard H. Wilde, for the Faculty-
13 Administration Relations Committee of the Long Beach Chapter of
14 the Association of California State College Instructors (ACSCI),
15 before the sub-committee of the Assembly Interim Committee on
16 Education.

17 "The Position of the ACSCI Faculty-Administration
18 Relations Committee.

19 "Introductory Remarks

20 "Mr. Chairman and members of the Committee, the
21 Faculty-Administration Relations Committee of the local chapter
22 of the Association of California State College Instructors
23 (known as ACSCI) has asked me to prepare an introductory state-
24 ment which could be read to you if I should be called upon.
25 This seemed appropriate because the Faculty-Administration
26 Relations Committee, on behalf of the membership of the chapter,

1 were among those who requested legislators to hold this hearing.
2 ACSCI has been and is now the most active and most representa-
3 tive professional organization of the faculty of Long Beach
4 State College, having over 85% of the eligible faculty in its
5 ranks.

6 "The ACSCI Faculty-Administration Relations Committee
7 was charged, in March 1958, with the duty of finding a court
8 of appeal for Dr. Clyde Martin and Mr. Frank Black whose non-
9 retention at the college was considered by the ACSCI chapter to
10 be unjust and to be symptomatic of deep-seated difficulties at
11 the college. With our mandate renewed from time to time by
12 overwhelming majorities, we went in turn to the administrators
13 of the college, to the State Department of Education, to the
14 State Board of Education, and to the Attorney General. We have
15 been absolutely unable to secure at any level a review of the
16 Martin and Black cases on their merits and we are still with-
17 out adequate knowledge of why, in fact, these men were not re-
18 tained. On the larger issue of faculty-administration relations
19 we have been able to secure directives for reform from the State
20 Department and State Board of Education and we have obtained
21 some reforms and some written promises of reform from the
22 college administration. The most important of these reforms
23 has been the establishment of a Faculty Council. It remains to
24 be seen, however, whether the Faculty Council will be able under
25 existing circumstances to find and carry forward solutions for
26 the basic problems which the faculty feels exist at Long Beach

1 State College.

2 "Our reason for coming to you is to analyze certain
3 basic difficulties prevailing at our college and to suggest to
4 you that our problems probably reflect organic weaknesses in
5 the entire state college system. We are willing to assume our
6 full responsibility in working for improvement within the exist-
7 ing structure. We do believe, however, that there is need for
8 remedial action and remedial legislation if this improvement is
9 to be substantial and is to lead to real harmony on the campus.

10 "It is our hope, as this hearing progresses, that the
11 many details we may feel called upon to present will not obscure
12 the higher purpose which we have. Our purpose is to make Long
13 Beach State College the best institution of higher learning
14 which it is within our powers and resources to make it. Within
15 a few years the State of California will have invested \$25,000,000
16 in capital plant alone, to say nothing of operating costs which
17 now run over \$4,000,000 a year. At present over 9,000 (over
18 6,000 FTE) students attend classes at Long Beach State College
19 and this enrollment is projected to grow to 15-20,000. We now
20 have over 300 full time faculty and next year will add over 90
21 new members to the faculty. Long Beach State College is a big
22 college and an expensive college right now, and it is going to
23 grow in size and expense. The state of California has a right
24 to be assured that it is getting the best possible results for
25 its dollar spent, just as the students have a right to receive
26 a degree they can be proud of when they have earned the

1 necessary units. Building programs and growth statistics can,
2 of course, indicate either a healthy development or an unhealthy
3 expansion. We are proud of what is sound in what we have achieved
4 but we are deeply troubled by a feeling that Long Beach State
5 College has not done as well qualitatively as it might have
6 done under happier circumstances.

7 "Two Distinct Camps

8 "Turning, now, to existing difficulties, we find that
9 these are present to some degree in all the major administrative
10 areas touching upon educational policy and personnel policy.
11 We have adopted, perhaps too hastily, new written rules of pro-
12 cedure in retention, tenure, and promotion matters. Some
13 important problems of interpretation have already arisen based
14 on these written rules and more seem bound to arise. Sub-
15 committees or members of the Faculty Council are now, on
16 faculty initiative, studying hiring, scheduling and assignment
17 procedures and policies; curriculum development procedures
18 and policies; budgeting procedures; maintenance of academic
19 standards; criteria for the establishment of departments as
20 administrative units; and procedures for hearing grievance ap-
21 peals. Other members of the faculty who may be called before
22 you will discuss these various subjects. In general, we might
23 say that after nine years of operation the college seems to
24 require a thorough reconstruction. It may be that the bad
25 practices which have grown up over a nine year period will be
26 corrected successfully by Faculty Council initiative, but there

1 are reasons to doubt that this can be achieved without fresh
2 conflicts of a major sort between administrators and faculty.

3 "Our reservations and fears in this regard arise from
4 one over-riding consideration. At Long Beach State College
5 administrators and faculty have largely divided into two dis-
6 tinct camps. These camps arose because administrators over the
7 years cut themselves off from the faculty and disregarded
8 faculty advice and feelings. The administrators were so detached
9 from, so insensitive to, the feelings of the faculty that the
10 crisis of the Spring of 1958 came upon them as a complete sur-
11 prise. Just before the crisis of the Spring of 1958 adminis-
12 trators were often heard speaking of the faculty with contempt.
13 On their side, the faculty believed that they saw evidence of
14 an appalling lack of knowledge of good collegiate adminis-
15 trative practice among the administrators. The faculty and the
16 administration did not trust each other or fully respect each
17 other, nor do they now.

18 "It might be argued that this separation between ad-
19 ministration and faculty is caused by personality conflicts,
20 particularly by the personal characteristics of key adminis-
21 trators. Even if this were the full explanation, it would
22 raise the question of why the administrative structure of a state
23 college makes it so dependent on a few key personalities for
24 harmonious operation. It is not, however, mainly such a per-
25 sonal matter. It is rooted in the fact that administrators on
26 the one hand and most of the faculty on the other hand adhere

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1 to philosophies that are fundamentally different concerning the
2 nature and purposes of higher education and the role of the
3 faculty in the formulation of educational policy. Long Beach
4 State College has a very high percentage of faculty who hold
5 doctoral degrees conferred by leading universities, and some
6 have had experience teaching in other universities and colleges.
7 The doctorate, by-and-large, is granted in America only to men
8 and women who have stamina, keen and independent minds, and who
9 are believed to be of strong spirit who can pursue truth. It
10 is granted to men and women who can be trusted to carry on the
11 ideas and traditions of higher education and learning as prac-
12 ticed in the schools in which they were trained. Granting the
13 doctorate is a process of the laying on of hands and the
14 integrity of our profession is maintained by respect for the
15 traditional disciplines. As faculty members, men and women so
16 trained are acutely aware that they are part of a great body of
17 scholars extending beyond the reaches of a single campus. To
18 their minds the body of knowledge is everywhere the same and
19 the fundamental problems of transmitting knowledge and higher
20 learning are everywhere the same.

21 "Our senior administrators belong to a different
22 tradition. None of them has had any significant experience as
23 teachers or administrators outside of the State College system
24 of California, and some had no college experience before coming
25 to Long Beach. They constantly tell us that there is a 'state
26 college philosophy' (although we are never told just what it is)

1 which sets state colleges apart from other colleges and from
2 universities. Thus, if the faculty want to cite what is done
3 elsewhere than at Long Beach to set standards they are told that
4 what goes on elsewhere is irrelevant because the state colleges
5 are unique. We believe that in this attitude our administrators
6 faithfully reflect the views of their superiors.

7 "Now, the faculty of Long Beach State College, what-
8 ever their background of education and experience, are quite
9 prepared to experiment and to adapt themselves to teaching the
10 curricula found to be suitable for this college and to teaching
11 the students who come to us. We find, however, that it is al-
12 most impossible to discover common ground in the fundamentals
13 of educational policy and with our administrators. Our admin-
14 istrators, in fact, have recently expressed the opinion that it
15 is unfortunate that so many of the faculty have come from
16 universities and graduate schools where they were hopelessly
17 tainted by a 'university outlook.' Thus, they recognize the
18 dilemma I am describing. Their answer to date has been auto-
19 cratic control. They have absolutely controlled curriculum
20 development. They have kept the budget a higher mystery. They
21 have used the pocket-veto on reports of faculty committees.
22 They have on occasion used assignment, scheduling, tenure, and
23 promotion as tools of control. They would like, in fact, to do
24 away with tenure completely so as to keep the faculty sub-
25 servient. Such treatment has been an affront to the profes-
26 sional standing and dignity of the faculty.

1 "It is from the existence of these two distinct camps
2 of faculty and administration that the conflict on the campus
3 has really arisen. It is a serious conflict which cannot
4 easily be resolved because it involves determining the whole
5 direction of higher education in the California State Colleges.
6 Several possible solutions suggest themselves. (1) Administra-
7 tors now in control might be given more power to impose their
8 views, though the effects of this upon the faculty would be
9 serious. (2) Faculties might be given real power and responsi-
10 bility in legislating educational policy as is done in univer-
11 sities with strong academic senates. (3) Steps might be taken
12 to bring the administration and faculty into harmony by choos-
13 ing, as openings occur, high level administrators who have had
14 teaching and administrative experience in well-known colleges
15 or universities and by ensuring that such administrators, as
16 well as division chairmen and department heads, should be so
17 selected as to enjoy the confidence of the faculty as well as
18 the confidence of the President.

19 "Difficulties in Drawing Up Rules to Guide Adminis-
20 trators Who Do Not Enjoy the Confidence of the Faculty

21 "So much for the fundamental problem which I have
22 presented as the 'two camps.' Another difficulty which we
23 believe exists at the college involves the work of the newly
24 created Faculty Council. It should be remembered that in the
25 crisis of the last spring the response of our administrators
26 was alternately one of panic, puzzlement, and stubborn reversion

1 to the status quo. They watched for signs from Sacramento,
2 from the State Board, and from the community and the press.
3 When they felt in extreme danger they responded by submissive-
4 ness and blandishments to the faculty; when they were puzzled
5 they sat tight; when the signs seemed favorable they moved to
6 consolidate their old policies and powers. We have watched in
7 vain for any indications of a sincere desire to administer the
8 college differently than it has been administered. In this
9 situation the faculty, through the Faculty Council, is trying
10 to put on paper while the time is propitious, certain 'do's
11 and don'ts' which will set limits to the exercise of adminis-
12 trative power in the future. This is very difficult to do.
13 We cannot write rules tight enough to tie the hands of admin-
14 istrators who might do things we believe improper and still
15 leave room for the necessary exercise of legitimate adminis-
16 trative action and initiative. As chairman of the Faculty
17 Council sub-committee on hiring policy I have been made acutely
18 aware of this dilemma.

19 "To my mind the most dangerous thing about the trend
20 of events in faculty-administration relations in the last six
21 months has been the fact that most of the constructive efforts
22 to end the crisis have come from the faculty side. There has
23 been little leadership shown, little capacity to understand
24 what has happened and to suggest remedies from the administra-
25 tion side. I speak here of the top echelon administrators.
26 The Faculty Council, the committee on committees, faculty

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1 representation on the President's Council, and the new retention,
2 tenure, and promotion procedures were initiated by the faculty.

3 "We believe that the faculty has confidence in its
4 Faculty Council and believes in faculty participation through
5 such a Council, through committees, or possibly through an
6 academic senate. But the cry of the faculty is also for ex-
7 perience academic leaders who will treat them with dignity and
8 genuine confidence and respect; not for leaders who will sign
9 agreements or treaties only after defeat in battle. Experienced
10 academic leadership would not overburden the faculty with
11 administrative details (which now happens in some areas of our
12 college) but would consult the faculty in all areas where their
13 influence is traditional. Such leadership could be trusted
14 generally to be going in the right direction. The faculty can-
15 not reasonably be expected to write detailed 'do's and don'ts'
16 and to stand watch every hour to see if the rules are being
17 misinterpreted or ignored. For them to have to do this would
18 impede the effective operation of the college as an educational
19 institution.

20 "What Action Would We Like the Assembly Sub-committee
21 to Consider Taking?

22 "When we first approached Assemblyman Geddes with our
23 request for a hearing we had in mind the possibility of specific
24 remedial legislation to improve the tenure law and to guarantee
25 faculty members against damage to their personal and profes-
26 sional reputations by administrative misuse of unevaluated or

1 invalid derogatory information conveyed to them by students and
2 others. It may be that you gentlemen will consider action along
3 these lines advisable. Speaking for the ACSCI Faculty-Admin-
4 istration Relations Committee of the college, however, I think
5 I can say that we now believe our problem to be more fundamental.
6 We think organic change in the state college system now may be
7 required. The best American traditions of good government for
8 universities and colleges provide self-regulating machinery for
9 settling cases like the Martin and Black affair through com-
10 mittee action on the campus. We offered and still offer such
11 machinery in the Martin and Black cases to our administrators
12 but they flatly refuse to use it. Beyond the campus itself,
13 we think it necessary that some knowledgeable governing board
14 have power and responsibility to hear appeals if deadlock
15 develops between the local faculty and their administrators.
16 Such appeals we believe would be rare in a properly designed
17 system. According to an opinion of the Attorney General of the
18 State of California dated September 3, 1958, the present State
19 Board of Education does not have any jurisdiction in a dispute
20 such as the Martin and Black cases. Furthermore, Superintendent
21 Simpson is opposed to the present State Board assuming general
22 appellate functions.

23 "Documents and Correspondence Attached

24 "I will conclude with a brief note about the documents
25 and correspondence which I have attached to this report. As
26 secretary of the ACSCI Faculty-Administration Relations

1 Committee and the college Steering Committee, I corresponded
2 at some length with Dr. J. Burton Vasche, Superintendent Roy
3 E. Simpson, and President Peterson. The attached correspondence
4 illustrates, among other things, some of the difficulties we
5 experienced in trying to get President Peterson to confer with
6 us on the Martin and Black cases in the spring of 1958 and the
7 manner in which he proceeded with the reorganization of the
8 college during the summer while refusing to discuss it with us.
9 The correspondence with Superintendent Simpson shows that we
10 experienced great difficulty in getting our problems on the
11 agenda of the State Board of Education. It also shows that
12 very little fruitful discussion of Dr. Vasche's report and
13 eight recommendations took place before the State Board because
14 we had no advance knowledge whatsoever of what the report would
15 contain although we were scheduled to appear before the Board.
16 Our committee was obliged to send a written reply to the report
17 to the Board members several weeks afterward. In general the
18 correspondence shows that the reforms, such as the Faculty
19 Council, which President Peterson has accepted since the crisis
20 of the spring of 1958, were initiated by the faculty and
21 obtained in the teeth of considerable opposition by the
22 President and by the State Superintendent."

23 CHAIRMAN GEDDES: I'd like to call now Mr. J. C.
24 Lien. Mr. Lien?

25 I notice many people in the audience are looking at
26 their watches, and this Committee is not going to go beyond

1 5:30. Everybody can't be heard although you have been on
2 subpena. A great many of you have prepared statements and those
3 statements will be received and put in the record just the same
4 as if you had been heard, but I'm leaving it to our Consultant
5 to pick out the main witnesses here.

6 (Thereupon Mr. J. C. Lien was duly and regularly
7 sworn by Chairman Geddes.)

8 CHAIRMAN GEDDES: Will you be seated, please? Give
9 your name and position at Long Beach State College to the
10 reporter.

11 MR. LIEN: Thank you, sir. My name is J. C. Lien.
12 I'm Associate Professor of Political Science at Long Beach
13 State College. I come here as the President of an organization
14 known as the American Association of University Professors.
15 This organization has been in existence since around the year
16 1914 and has been quite concerned with matters involving pro-
17 motion, tenure and academic freedom.

18 I have in my possession some documents which I will
19 submit to the Committee. I would like, however, to call
20 attention to just one aspect of these documents, in view of the
21 limited time which we have, and that is in the matter of the
22 time of notice before dismissal. As you have found out today
23 Professors Martin and Black and the other professors were dis-
24 missed in the latter part of March.

25 Now, the College hired in January and February.
26 Manifestly, those people who were dismissed in the latter part

1 of March are going to have an awfully difficult time finding
2 another job. Most of us are specialists. We find ourselves in
3 the position when we are out of employment where we have only
4 maybe five jobs throughout the country that really fit our
5 specialty and since the colleges do hire in January and
6 February, in all fairness it seems to me appropriate that the
7 notice come before the end of March.

8 Now, the American Association of University Professors
9 says this, and I will read this if I may. It's a very short
10 statement. This comes from a recommended institutional regu-
11 lation on academic freedom and tenure, American Association of
12 University Professors, Washington, D.C. (Reading)

13 "Item 2(b) Written notice that a probationary appoint-
14 ment is not to be renewed will be given the faculty member in
15 advance of the expiration of his appointment according to the
16 following minimum periods of notice:

17 "1. At least three months before the end of the
18 duties during the first academic year of faculty service in the
19 institution exclusive of a summer session.

20 "2. No later than December 15 of the second academic
21 year of such service if the appointment expires at the end of
22 that year or if a two year appointment terminates during an
23 academic year, at least six months in advance of this termina-
24 tion; and

25 "3. At least twelve months before the expiration of
26 appointment after more than two years in the institution.

1 Notice of the terms and conditions of a renewal will in all
2 cases be given at least three months before teaching duties
3 terminate during the previous employment exclusive of summer
4 sessions."

5 This would enable a faculty member that was dismissed
6 to survey the market and find another position for himself.

7 I submit these items in evidence for the use of the
8 Committee. As I understand, your purpose is to seek ways of
9 finding legislation that would be appropriate to take care of
10 some of the problems in the state colleges:

11 1940 statement of academic freedom and tenure; the
12 recommended institutional regulations on academic freedom and
13 tenure; and a statement on procedural standards in faculty
14 dismissal proceedings.

15 And now, if I may, sir --

16 CHAIRMAN GEDDES: Yes, they will be received for the
17 record. Thank you very much.

18 MR. LIEN: (Continuing) -- I would like to say one
19 other thing with respect to the establishment of a separate
20 governing body for the state college system. I have heard a
21 considerable number of rumors about this and about setting up
22 a separate State Department of Education in addition to a
23 separate State Board of Education for the state colleges. It
24 seems to me, however, that it may be that we are perhaps over-
25 concerned about the machinery and not as concerned as we ought
26 to be about the individuals and the philosophy.

1 The Legislature, as you know of course, is empowered
2 to establish boards and commissions that are balanced politically
3 and I would like very much to see a board of education if
4 established or if we remain with the present Board of Education,
5 a Board of Education in which you have individuals who have had
6 a long period of classroom teaching performance and recent class-
7 room performance. It is as if we have a situation now where the
8 Board of Education is composed of entirely honorable people --
9 there's no question about that in my mind; I've seen them
10 operate -- but I must say that they seem not to be aware of
11 what goes on in the classroom, just as much as if I would be
12 appointed to the Board of General Motors and I don't know what
13 goes on in the factory, and it's a specialized skill. There
14 are specialized problems. The Board of Education as it is
15 presently constituted, it seems to me, is not in a position to
16 ask those searching and penetrating questions of the State
17 Department of Administration that need to be asked, and I do
18 not propose that the Board of Education be constituted solely
19 of old professors. It would be nice to give old professors a
20 job, but I don't propose that, but I do think that we have in
21 California luckily some eminent scholars who have retired from
22 schools out of state colleges and universities out of the state
23 who have no ax to grind in the state of California and who
24 could serve with great distinction on the Board of Education
25 for the state colleges, and I think if that philosophy were to
26 penetrate the college system you would find these faculty

1 members who come from these colleges and universities, and my
2 own experience is two years of teaching at the University of
3 Iowa and six years of teaching at U.C.L.A., and I would find
4 myself much happier if I knew I had a Board of Education that
5 understood what I was trying to do in the classroom.

6 That's all I have to say and I thank you very much,
7 gentlemen, for your attention.

8 MR. HANNA: Mr. Geddes.

9 CHAIRMAN GEDDES: Yes, Mr. Hanna.

10 MR. HANNA: Just two questions. I really believe we
11 should take advantage of this witness to learn two things that
12 are very pertinent to this hearing:

13 Number one, since you have the experience of teaching
14 both in the university and in college, I'd like to have your
15 comments regarding your idea of the division of function be-
16 tween the junior college and a state college and the university;
17 and

18 Number two, so that you can confine that, relate
19 that to what you think is proper in the way of tenure require-
20 ments for each of these classifications, because I do believe
21 that we are interested in that particular aspect of it.

22 MR. LIEN: I will attempt to answer that, Mr. Hanna.
23 It seems to me that the University of California, for example,
24 and the other great universities have this obligation to
25 produce and publish and make record of their original research
26 known. Their teaching obligations are primarily on the

1 graduate level. On the state college level teaching obligation
2 is of great consequence and it seems to me that the state
3 colleges ought to do a better job of teaching, the faculty in
4 the state colleges ought to do a better job of teaching than is
5 done in the university, because we do not have obligation to
6 publish, and that's a monkey on the back. I know this by ex-
7 perience, bitter experience.

8 The junior colleges can perform a great function in
9 acting as an institution to bring on some of those people who
10 are going to come to terminal degrees after two years. I think,
11 however, that the state colleges ought to set standards higher
12 than the junior colleges. I think that the faculty ought to be
13 a considerable cut above the junior colleges and that they
14 ought to do a far superior job of teaching. The junior
15 colleges ought to be handling some of the applied arts field
16 that is now being taken care of in the state colleges, but
17 being abandoned by the universities.

18 I think a good deal of emphasis ought to go into the
19 applied arts field in the junior colleges and it ought to be a
20 terminal degree, perhaps pretty largely a two years. Only
21 those exceptional students out of junior college ought to
22 transfer to the state college and go on from there to a B.A.

23 MR. HANNA: Would you relate the functioning of the
24 professors if you can, to the problem of tenure? Do you think
25 there should be any difference on the tenure approach now in
26 these levels of education?

1 MR. LIEN: Well, sir, it seems to me that tenure
2 depends, or the time of tenure depends pretty largely on the
3 opportunities to observe and the opportunities to observe, if
4 you are going to preserve academic freedom, are somewhat limited
5 on the college level. I know very few faculty members that are
6 very comfortable when deans or other people come into their
7 classrooms. I will say this, that if a dean were to walk into
8 my classroom, and I knew he were coming, I would anticipate it
9 and I'd put on a show. I'd put on a very fine show. I'd
10 entertain. I'd have them laughing and scratching. They'd ask
11 questions. They'd be intrigued. And I am well aware that
12 these visitations that occur on the primary and secondary level
13 are handled in much the same way. There's a kind of a gentle-
14 men's agreement between the students in the class and the
15 teacher, that when the supervisor walks in everybody brightens
16 up.

17 CHAIRMAN GEDDES: That happens in the Legislature
18 too. You have a bunch of constituents and there you are.

19 Thank's very much, sir, we appreciate this side-
20 light that you have given us and we do thank you for coming.

21 MR. LIEN: Thank you. I appreciate the opportunity.

22 CHAIRMAN GEDDES: I am now going to void the subpoena
23 of Victor L. Jepson. I think that he has certainly heard
24 enough today, knows that the Committee is working and I know
25 you want to take a plane, Mr. Jepson, so you may be excused at
26 this time. The subpoena is void.

1 Now, Dr. McGarrity, please.

2 (Thereupon Dr. Bertram C. McGarrity was duly and
3 regularly sworn by Chairman Geddes.)

4 CHAIRMAN GEDDES: Be seated, please. Give your name
5 and the position you hold to the reporter.

6 DR. MCGARRITY: Professor of Music on tenure status.
7 I have been a member of the Long Beach State College staff since
8 1951, with twelve years college teaching experience previously.

9 Mr. Chairman, I have a brief statement together with
10 some supporting material. I see no point in reading the
11 supporting material but I would like to read the statement. I
12 have copies, of course, for everyone.

13 (Thereupon Dr. Bertram McGarrity read his prepared
14 statement to the Committee, as follows:)

15 "The problem of promotion is one of the most con-
16 tentious areas at Long Beach State College. The general
17 criteria for promotion have been published in the faculty hand-
18 book, but taken at face value, together with the exceptions
19 listed, they constitute a guide which is not only inadequate
20 but actually misleading as well. Moreover, since these state-
21 ments have never been the subject of any faculty participation
22 they must be considered as reflecting a wholly administrative
23 point of view.

24 "The first exception deals with promotion in academic
25 rank because of administrative responsibility. The practice
26 has been to have made many promotions because of this kind of

1 assignment. In the Division of Education and Psychology over a
2 three year period only two professors were promoted who did not
3 have administrative assignments.

4 "One department chairman has said that no one may be
5 promoted to full professor without an administrative assign-
6 ment. This policy raises many basic questions concerning the
7 relative emphasis placed upon teaching as compared with admin-
8 istrative duties.

9 "The second exception deals with initial appointment
10 and hiring policy. No general policy can be discerned in the
11 practice of the past nine years, but it is interesting to com-
12 pute the cost to the State of California of a hiring policy in
13 one division as compared to the cost if the proposal presently
14 before the faculty council is carried out. Moreover, the
15 system has built in features which serve to perpetuate any
16 iniquities at the time of appointment.

17 "The last exception which has to do with the com-
18 petitive market does pose many serious difficulties. But it is
19 interesting to observe that in some fields in short supply,
20 initial appointments are not as high as in other fields where
21 the demand for trained faculty members is not as great.

22 "Thus the criteria with the exceptions are not really
23 guides to promotion at all. They may be used to prevent pro-
24 motion while at the same time they allow administrative officers
25 to promote those whose promotion is wanted.

26 "In the absence of meaningful criteria, the way is

1 open to use the entire system of promotion as a means of control
2 over the faculty, or to a belief that promotion is based on
3 criteria other than those published and other than those having
4 to do with teaching excellence.

5 "It has been suggested that it is up to the individual
6 professor to justify his promotion. Excellence in teaching
7 ought to be sufficiently important to merit promotion without
8 any selling job. This evaluation for promotion ought to be a
9 matter of routine. It seems reasonable to assume that men who
10 have been carefully selected ought to be promoted as a matter
11 of course if they discharge their duties effectively. There is
12 always a danger that the good salesman may be promoted, while
13 good sense reminds us that the good teacher must be promoted.

14 "Promotion is one of the most serious problems at
15 Long Beach State. It is always a difficult problem at any
16 college. Viewed from our past experience, it seems obvious
17 that the future practices must be clear and well-defined.
18 Further, promotional procedures must be administered with a
19 full sense of responsibility if capricious and ill-considered
20 judgements are to be avoided."

21 DR. MC GARRITY: That's the statement.

22 CHAIRMAN GEDDES: Thank you very much. Mr. Marshall
23 has a question.

24 MR. MARSHALL: In your department at Long Beach State
25 College, do you ever have any secret meetings among the faculty
26 where the administration asks you to vote to discharge another

1 faculty member in your department?

2 DR. MC GARRITY: This happened recently in the depart-
3 ment of music.

4 MR. MARSHALL: Did you go along with the request?

5 DR. MC GARRITY: If you mean do I attend the meeting,
6 yes, of course. I must attend any meeting which is called by
7 an administrative officer.

8 MR. MARSHALL: Did you go along with charges that
9 were filed against another faculty member?

10 DR. MC GARRITY: I did not. Nor did anybody else at
11 that meeting.

12 MR. MARSHALL: Why was the meeting held?

13 DR. MC GARRITY: I think this, of course, is conjec-
14 ture -- one is to communicate a point of view and I think there
15 was a real attempt to try to find some discussion to a difficult
16 problem in our department.

17 MR. MARSHALL: Are these held often in your depart-
18 ment? Have they been held before?

19 DR. MC GARRITY: Let me put it this way: this, of
20 course, raises many difficult questions of judgment. Any ad-
21 ministrative officer, of course, if he is to seek the advice
22 of anyone he chooses, I think it's the matter of intention which
23 is the important thing.

24 MR. MARSHALL: For what purpose was this meeting
25 called?

26 DR. MC GARRITY: To try to work out some solution.

1 That solution was arrived at that anybody in the faculty sug-
2 gested --

3 MR. MARSHALL: What was the difficulty?

4 DR. MC GARRITY: I want to explain a little bit about
5 the difficulties.

6 MR. MARSHALL: Incidentally, the name of who you were
7 discussing was Sanford Helm, is that not correct?

8 DR. MC GARRITY: That's correct. The division chair-
9 man had a suggested solution to a problem which has arisen over
10 some time. The meeting was called at his direction. I am quite
11 sure no member of the staff willingly participated in this meet-
12 ing. There was considerable reluctance to make any judgment
13 inasmuch as I suppose most of my colleagues felt as I did, that
14 surely we didn't have enough information on this to make a
15 valid judgment.

16 MR. MARSHALL: How should a situation of this type be
17 worked out?

18 DR. MC GARRITY: Well, one of the grave difficulties
19 in a situation like this is that a retroactive judgment has to
20 be made. Now, of course, any judgment made at this time involved
21 so many problems it is almost impossible to deal with now but
22 had the situation been handled in a different fashion when it
23 first came into being, I don't think we'd have the trouble now.

24 MR. MARSHALL: Mr. Helm has been at the college for
25 some time, has he?

26 DR. MC GARRITY: Four years, I understand.

1 MR. MARSHALL: And he has tenure?

2 DR. MC GARRITY: Yes.

3 MR. MARSHALL: He was granted tenure by the President
4 of the College?

5 DR. MC GARRITY: The President is the only one who can
6 grant it.

7 MR. MARSHALL: His work in your opinion as a colleague
8 has it been for the purposes for which you understand he was
9 hired?

10 DR. MC GARRITY: I have no clear understanding about
11 the reasons for the position for which he was hired.

12 MR. MARSHALL: You were never told when he was hired
13 why he was hired or for what purpose or what his duties were?

14 DR. MC GARRITY: The purpose in hiring him was to hire
15 a conductor for the band. I think this is the primary purpose.

16 MR. MARSHALL: I am trying to get to how this should
17 have been handled instead of the way it was handled, as this is
18 what the Committee is interested in. I take it that the
19 faculty members are not too willing to go along with so-called
20 secret meetings --

21 DR. MC GARRITY: Not at all.

22 MR. MARSHALL: (Continuing) -- to evaluate other
23 faculty members?

24 DR. MC GARRITY: No.

25 MR. MARSHALL: Were you ever given an opportunity
26 before he had tenure to evaluate his work in the department?

1 DR. MC GARRITY: After I was -- well, on two occasions
2 it's no secret, of course, that Mr. Helm and I have held dif-
3 ferent points of view on a number of subjects. I think this is
4 entirely justified on my behalf just as I think it is the thing
5 for him to do. If he feels strongly about something he should
6 present his ideas as firmly and as persuasively as possible.
7 I intend to do the same thing.

8 Now, these matters will come to a decision on the
9 part of the faculty in the music department. I must and want
10 to abide by the decision of the majority of the department. I
11 think that is how the matter should be handled.

12 MR. MARSHALL: In your department have the faculty
13 been given an opportunity to participate in the making of
14 decisions?

15 DR. MC GARRITY: Sometimes.

16 MR. MARSHALL: In the case of whether Mr. Helm, Dr.
17 Helm had got tenure, did you participate in this?

18 DR. MC GARRITY: I was shown the letter which was
19 sent to the President so that this was the first time --

20 MR. MARSHALL: In other words, it's not like your
21 education department where the full professors helped evaluate?

22 DR. MC GARRITY: No. I am currently the only full
23 professor besides the chairman of the department.

24 MR. MARSHALL: Now, do you think the participation
25 by colleagues in the department is essential in a fair evaluation?

26 DR. MC GARRITY: Yes, indeed I do.

1 CHAIRMAN GEDDES: Thank you very much sir.

2 MR. PORTER: Mr. Chairman, I have a question.

3 CHAIRMAN GEDDES: Mr. Porter.

4 MR. PORTER: You said the meeting was suggested or
5 was held and it was to try to work out a solution to a problem.
6 Now, it seems to me that would be commendable to try to work
7 out a solution to a problem, but do you care to say what the
8 problem was?

9 DR. MC GARRITY: Well, I am not quite sure I under-
10 stand it in its complete sense. I think this is one of the
11 things which bothered us.

12 MR. PORTER: Well, you didn't clearly have presented
13 to you what the problem was?

14 DR. MC GARRITY: We had a problem clearly presented
15 but some of us felt this was not the entire problem.

16 MR. PORTER: Were you supposed to come up with a pre-
17 determined solution?

18 DR. MC GARRITY: Yes, that seemed obvious from the
19 meeting.

20 MR. PORTER: That shortened the meeting of course.

21 DR. MC GARRITY: Mr. Porter, it didn't shorten this
22 one.

23 MR. PORTER: And then in fairness to Dr. Helm, his
24 colleagues including you refused to take action?

25 DR. MC GARRITY: No, we were called upon to vote as
26 to whether we had any objection to the action which was

1 suggested by the division chairman.

2 MR. PORTER: I see.

3 DR. MC GARRITY: You see, this is an entirely dif-
4 ferent point.

5 MR. PORTER: Yes. Well, maybe I will hear some more
6 later then.

7 CHAIRMAN GEDDES: Were you given a chance to vote
8 "yes", is that the way you all understood it?

9 DR. MC GARRITY: No, I assumed I could vote "no".

10 CHAIRMAN GEDDES: And how was the vote?

11 DR. MC GARRITY: I don't recall the precise thing but
12 it was in the nature of seven "yes" and two abstained.

13 CHAIRMAN GEDDES: In other words, what I was trying
14 to get at, if we went to a meeting where the answer was already
15 anticipated to a problem posed and there was an instruction as
16 to how to vote, why you might as well put that right out in
17 the clear. Was that the decision as I understand it? It was
18 suggested that you vote "yes" or that you vote "no" to solve
19 this problem?

20 DR. MC GARRITY: It was a suggestion from the chairman
21 of the division. Obviously I presume this was his solution.

22 CHAIRMAN GEDDES: In other words, he was asking for a
23 ratification of his point of view?

24 DR. MC GARRITY: Yes, sir.

25 CHAIRMAN GEDDES: Well, it's very interesting. I
26 think we have more to put in our report than we had previously,

1 certainly, and it shows that this isn't an easy task.

2 DR. MC GARRITY: No.

3 CHAIRMAN GEDDES: We thank you very much for being
4 with us today.

5 I'd like to call Vernon A. Metzger to the stand.

6 (Thereupon Mr. Vernon A. Metzger was duly and regu-
7 larly sworn by Chairman Geddes.)

8 CHAIRMAN GEDDES: You may be seated. Give your name
9 and your position at Long Beach State College to the reporter.

10 MR. METZGER: My name is V. A. Metzger. I am an
11 Associate Professor of Business, Long Beach State College.
12 Started with the College in 1949.

13 VICE CHAIRMAN PORTER: Mr. Marshall.

14 MR. MARSHALL: You have a statement, I notice, pre-
15 pared. In the limitations of time here could you summarize it
16 for us and then we'll put the statement in the record?

17 MR. METZGER: Yes, sir.

18 MR. MARSHALL: As I understand it, it's on the
19 faculty members who are excluded from the participation in
20 planning budget and making decisions as to how funds are al-
21 located and distributed?

22 MR. MRTZGER: Yes, sir. Would you care to -- I have
23 made a comparative approach here indicating on the one hand
24 what would be generally accepted budgetary principles and
25 practices and then on the other hand what Long Beach State
26 College does to implement these principles and practices. And

1 I mention in Item 1 that the --

2 MR. MARSHALL: Let me ask you just so we get it
3 straight before you start and we don't have to go back and ask
4 you, what do you mean by "generally accepted budgetary prin-
5 ciples and practices"?

6 MR. METZGER: These would be the ones which would
7 come out of books, in public administration, public finance,
8 business administration and similar literature. The first step
9 in preparing the way for budgeting is to "departmentize". It is
10 essential to departmentize into budgetary units with some
11 delegation of authority and responsibility, such as history and
12 so on. Long Beach State College has only 7 divisions and 12
13 actual departments. I'll explain that we have some other
14 departments but they are synonymous with divisions, some large
15 divisions such as business and social science have no depart-
16 ments at all, although they have a division and a department of
17 social science, there is no department of history or department
18 of accounting.

19 As a result, there is no delegation possible down to
20 a budget operating unit level, because there's no administrative
21 structure there to delegate it to.

22 Now, in the minutes of the State Board of Education
23 for May 9th and 10th, 1957, Roy E. Simpson, Superintendent of
24 Public Instruction presented the following on budgeting as being
25 usual and the same as in prior years:

26 "February -- April -- Operating units of the several

1 state colleges will survey their present programs, estimate
2 their needs for the 1958-59 fiscal year and submit a statement
3 of their needs to their respective business managers.

4 "May -- June -- The college presidents and business
5 managers will conduct hearings and review the requests of their
6 operating units."

7 As mentioned above, we do not have these suitable
8 budgetary operating units referred to in the first item and
9 hearings have not been held, and at one of the meetings of the
10 steering committee, the Executive Dean stated that he was not
11 familiar with these recommendations.

12 Now, I refer to the last page of this report, which
13 is a questionnaire, and this questionnaire is a report on
14 responses from 75 faculty members and 15 department and division
15 chairmen at Long Beach State College. It was compiled by the
16 Faculty Council Subcommittee on Budgeting Policies and Procedures,
17 December 5, 1958.

18 Now, in item 3 the question was asked: "Have you ever
19 participated in college budget hearings at Long Beach State
20 College? Administrators -- yes, none; no, 13. Faculty -- yes,
21 none; no, 70."

22 So we can see that none of the people who responded
23 to this questionnaire has ever participated in college budget
24 hearings.

25 Now, two people, two respondents did indicate that in
26 one case they had participated in associated student body

1 hearings, so I guess the students are ahead of us on this point.
2 And another indicated that he had participated in a hearing at
3 the State level.

4 Now, the purposes of a budget, without going into
5 detail, are: planning, control, and coordination.

6 Planning at Long Beach State College is done without
7 reference to all programs being offered or to what might gener-
8 ally be regarded as sound, educational policy.

9 This may be a matter of division of philosophy, but
10 there may be other aspects.

11 Control at Long Beach State College mainly consists
12 of the President and the Deans acting as a "bottleneck" through
13 which most things must pass. A member in the Science Department
14 indicated to me that the President actually initials on the
15 corner P.V.P. on requisitions.

16 Coordination. Neither adequate attention nor time
17 is spent on coordination. This follows inasmuch as there has
18 not been any participation to speak of in the first place.
19 Democratic processes are not used and when they are proposed by
20 the faculty the President talks of group rule.

21 4. There should be an up-to-date budget manual con-
22 taining procedures, practices, a schedule of deadlines, criteria
23 for establishing priority, information on what should go into
24 budget, and other similar information. This manual to be
25 issued to all division and department heads, and full time
26 faculty.

1 Long Beach State College does not have and has never
2 had a budget manual. Therefore, most of the faculty and many of
3 the deans, division chairmen, and department heads are not
4 properly informed on budgetary matters.

5 Now, may I refer to this questionnaire again? Item
6 6: "Are you in favor of having a manual published stating
7 budgeting policies, procedures, and deadlines? Administrators --
8 yes, 10; no, none. Faculty -- yes, 51; no, 2.

9 5. A budget committee should have the definite re-
10 sponsibility for coordinating the budget. Long Beach State
11 College does not have a budget committee.

12 6. The detailed college budget document should be
13 made available to the division and department heads and faculty.
14 This would enable them to more effectively participate in the
15 college program.

16 The President has consistently refused to do this
17 over the years, stating that it is none of the faculty's
18 business to know what is in Long Beach State College's budget.

19 And I'll clarify it here that at an Employees' Council
20 meeting one year ago it was requested from the President that we
21 get information with regard to the various details of the
22 appropriation of items in the budget at Long Beach State College,
23 and this is essentially his reply: (Reading)

24 "7. The president of the college is the logical
25 officer to guide the execution of the budget. However, in a
26 large state college he must delegate most of this function to

1 the business manager. The business manager in turn guides the
2 execution of the budget in consultation with individual division
3 chairmen, department heads and faculty concerned."

4 Because the administration of Long Beach State College
5 is overcentralized and inadequately departmentized, the division
6 chairmen, department heads, and faculty concerned do not re-
7 ceive a proper delegation of authority in the execution of the
8 budget.

9 Now, may I refer to the summary just briefly, and I
10 might add that many of these items in the summary can be more
11 or less tied in with the questionnaire. The faculty and some
12 of the administrators complain that the budget is not logical,
13 well conceived, or properly coordinated, and that they have
14 little confidence in the president or most of his administrative
15 assistants with regard to budgetary matters.

16 The budget is not planned to properly distribute
17 moneys, thus some programs are quite well supported while
18 others are rather deficient. Great emphasis has been placed on
19 brick and mortar while the faculty complains of a lack of books
20 and reference material in the library, and I can refer you to
21 the tabulation here with regard to library on the questionnaire:
22 20 faculty members indicated that the library budget was
23 adequate while 41 said that it was inadequate; and among the
24 administrators responding, 6 said it was adequate and 5 said it
25 was inadequate. Also we might refer to these items with re-
26 gard to travel, readers, and student assistants. Under "student

1 assistant" 10 faculty thought that these items were adequate;
2 41 inadequate. 3 administrators thought they were adequate;
3 10 thought they were inadequate. That was for student assist-
4 ants.

5 With reference to "travel", 2 members of the faculty
6 thought they had adequate travel to go to professional confer-
7 ences; 56 thought it was inadequate. Among the administrators
8 1 thought he had adequate travel budget; 14 inadequate.

9 3. The president at Long Beach State College com-
10 plains that he has been unable to get approval from Sacramento
11 for additional general administrators and has provided himself
12 with additional administrative assistants by listing persons as
13 faculty, using them as administrators, and paying them out of
14 faculty budget. He only needs these additional administrators
15 inasmuch as he is unwilling and unable to departmentize and
16 delegate, thus freeing himself and his general administrators
17 for overall planning and coordinating. As a result the
18 president and deans spend much time and effort on things which
19 should be done at the department level and still do not get the
20 department work done. At the same time the president and deans
21 have little time left to guide and coordinate; and finally
22 most of the faculty and some of the administrators feel that
23 the best interests of Long Beach State College require that
24 these generally accepted budgetary principles and practices be
25 complied with.

26 CHAIRMAN GEDDES: This really, of course, is committee

1 material for the committee headed by Mr. Sedgwick but we are
 2 here today to act as a collecting medium and it certainly does
 3 have a place because it pertains to the whole subject of Long
 4 Beach State College.

5 Thank you very much for this presentation.

6 MR. METZGER: Thank you.

7 CHAIRMAN GEDDES: And I will excuse you, and all others
 8 who have been under subpena who have already testified, if any
 9 of you find it necessary to get away. We thank you for your
 10 presence here. We polled the Committee and there's no cross
 11 examination desired of any of those who already testified and
 12 therefore those who have testified under subpena may leave if
 13 they care to do so.

14 (The statement of Mr. Vernon A. Metzger is incorpor-
 15 ated into the record as follows:)

16 "Report on Budget Practices at Long Beach State College

17 "The following comparisons and summary on budgetary
 18 practices are presented in the hope that some improvements will
 19 be forthcoming.

20 "Prepared by V. A. Metzger

21

22 Generally Accepted Budgetary	What Long Beach State College
23 Principles and Practices	Does to Implement these
24	Principles and Practices

25

26 1. The first step in preparing 1. Long Beach State College

1 the way for budgeting is to : has only seven divisions and
 2 "departmentize". It is essen- : twelve actual departments.
 3 tial to departmentize into : Some large divisions, such as
 4 budgetary units which make it : business and social science,
 5 possible for the faculty and : are not "departmentized" at all
 6 department heads to have def- : There is practically no dele-
 7 inite authorities and respon- : gation of authority, even to
 8 sibilities. In general a de- : the division chairman level,
 9 partment would be a homogeneous : let alone to such department
 10 grouping; i.e., history, : heads as exist, thus, these
 11 marketing, chemistry or psy- : administrators do not properly
 12 chology. : participate in the budget
 13 : process.
 14 2. In the minutes of the State : 2. As mentioned above, Long
 15 Board of Education for May 9 : Beach State College does not
 16 and 10, 1957, Roy E. Simpson, : have suitable budgetary opera-
 17 Superintendent of Public In- : ting units. While some persons
 18 struction, presented the fol- : have participated in budget
 19 lowing on budgeting as being : hearings, most have not; this
 20 usual and the same as in prior : is true for lower echelon ad-
 21 years: : ministrators as well as faculty.
 22 'February-April-Operating units: The Executive Dean Stated that
 23 of the several state colleges : he was not familiar with these
 24 will survey their present pro- : recommendations in the State
 25 grams, estimate their needs for: Board of Education minutes per-
 26 the 1958-59 fiscal year and : taining to state college

1	submit a statement of their	:	budgeting.
2	needs to their respective bus-	:	
3	iness managers.	:	
4	May-June-The college presidents:	:	
5	and business managers will con-	:	
6	duct hearings and review the	:	
7	requests of their operating	:	
8	units.'	:	
9	3. The purposes of a budget	:	3. a) Planning at Long Beach
10	stated briefly are:	:	State College is done without
11	a) Planning-A systematic and	:	reference to all programs being
12	unified plan of activities for	:	offered or to what might be gen-
13	designated periods of operation:	:	erally regarded as sound edu-
14	b) Control-A standard of	:	cational policy.
15	measurement of results against	:	b) Control at Long Beach State
16	which variations from previous	:	College mainly consists of the
17	plans become evident.	:	Presidents and the Deans acting
18	c) Coordination-Activities be-	:	as a 'bottleneck' through which
19	come a part of a plan for the	:	most things must pass.
20	institution as a whole. Demo-	:	c) Coordination-Neither ade-
21	cratic processes basic to the	:	quate attention nor time is
22	construction and operation of	:	spent on coordination. This
23	a budget tend to bring under-	:	follows inasmuch as there has
24	standing and unification of	:	not been any participation to
25	departments and personnel.	:	speak of in the first place.
26		:	Democratic processes are not

1 : used and when they are proposed
2 : by the faculty the president
3 : talks of group rule.
4 4. There should be an up-to- : 4. Long Beach State College
5 date budget manual containing : does not have and has never
6 procedures, practices, a sched- : had a budget manual. There-
7 ule of deadlines, criteria for : fore, most of the faculty and
8 establishing priority, informa- : many of the deans, division
9 tion on what should go into : chairmen, and department heads
10 which budget, and other similar : are not properly informed on
11 information. This manual to be : budgetary matters.
12 issued to all division and de- :
13 partment heads, and full time :
14 faculty.
15 5. A budget committee should : 5. Long Beach State College
16 have the definite responsibility : does not have a budget com-
17 for coordinating the budget : mittee.
18 6. The detailed college budget : 6. The president has consis-
19 document should be made avail- : tently refused to do this over
20 able to the division and de- : the years, stating that it is
21 partment heads and faculty. : none of the faculty's business
22 This would enable them to more : to know what is in Long Beach
23 effectively participate in the : State College's budget.
24 college program.
25 7. The president of the college : 7. Because the administration
26 is the logical officer to guide : of Long Beach State College is

1 the execution of the budget. : overcentralized and inadequately
 2 However, in a large state : departmentized, the division
 3 college he must delegate most : chairmen, department heads, and
 4 of this function to the bus- : faculty concerned do not receive
 5 iness manager. The business : a proper delegation of authority
 6 manager in turn guides the : in the execution of the budget.
 7 execution of the budget in :
 8 consultation with individual :
 9 division chairmen, department :
 10 heads, and faculty concerned. :

11 "SUMMARY

12 "1. The faculty and some of the administrators com-
 13 plain that the budget is not logical, well conceived, or properly
 14 coordinated, and that they have little confidence in the
 15 president or most of his administrative assistants with regard
 16 to budgetary matters.

17 "2. The budget is not planned to properly distribute
 18 moneys, thus some programs are quite well supported while others
 19 are rather deficient. Great emphasis has been placed on brick
 20 and mortar while the faculty complains of a lack of books and
 21 reference material in the library, funds to enable them to
 22 attend professional conferences, and student and reader
 23 assistance.

24 "3. The president at Long Beach State College com-
 25 plains that he has been unable to get approval from Sacramento
 26 for additional general administrators and has provided himself

1 with additional administrative assistants by listing persons as
2 faculty, using them as administrators, and paying them out of
3 faculty budget. He only needs these additional administrators
4 inasmuch as he is unwilling and unable to departmentize and
5 delegate, thus freeing himself and his general administrators
6 for overall planning and coordinating. As a result the
7 president and deans spend much time and effort on things which
8 should be done at the department level and still do not get the
9 department work done. At the same time the president and deans
10 have little time left to guide and coordinate, and inasmuch as
11 most of the college is not properly departmentized who would
12 they guide and coordinate anyway?

13 "4. Most of the faculty and some administrators feel
14 that the best interest of Long Beach State College require
15 that these generally accepted budgetary principles and practices
16 be complied with.

17 "REPORT ON: Responses To A Budget Questionnaire
18 From 75 Faculty and 15 Department and Division Chairmen at
19 Long Beach State College.

20 "COMPILED BY: Faculty Council Sub-Committee on
21 Budgeting Policies and Procedures.

22 "December 5, 1958

23 "The following questions were asked and answered as
24 indicated below:

25 "1. Were you informed of budget deadlines this year?
26 Administrators -- yes, 9; no, 5. Faculty -- yes, 14; no, 54

1 Last Year? Administrators -- Yes, 8; no 3. Faculty -- yes, 12
2 no, 55

3 "2. Did you help prepare your department and/or
4 division budgets this year? Administrators -- yes, 8; no, 7.
5 Faculty -- yes, 9; no, 62. Last Year? Administrators --
6 yes, 7; no, 5. Faculty -- yes, 9, no 61.

7 "3. Have you ever participated in college budget
8 hearings at Long Beach State College? Administrators -- yes, 0;
9 no, 13. Faculty -- yes, 0; no, 70.

10 "4. Please report on the following budget items in
11 terms of whether you consider them adequate or inadequate.
12 Travel: Faculty -- adequate, 2; inadequate, 56. Administration--
13 adequate, 1; inadequate, 14. Readers: Faculty -- adequate, 7;
14 inadequate, 43. Administration -- adequate, 5; inadequate, 8.
15 Student Assistants: Faculty -- adequate, 10; inadequate, 41.
16 Administration -- adequate, 3; inadequate, 10.
17 Library: Faculty -- adequate, 20; inadequate, 41. Administra-
18 tion -- adequate, 6; inadequate, 5.

19 "5. Are you familiar with the criteria used to
20 establish priority of budget items at Long Beach State College?
21 Administrators -- Yes, 1; no 7. Faculty -- yes, 1; no, 55.

22 "6. Are you in favor of having a manual published
23 stating budgeting policies, procedures, and deadlines? Admin-
24 istrators -- yes, 10; no, 0. Faculty -- yes, 51; no, 2.

25 "7. What is the smallest organization unit which
26 should participate in budgetary hearings and planning?

1 Administrators -- Department 10; division, 1; college 0.

2 Faculty -- Department, 49; division, 5; college, 1.

3 "8. Are you in favor of a college-wide faculty com-
4 mittee to review and adjust the budget? Administrators --
5 yes, 7; no, 3. Faculty -- yes, 45, no, 6."

6 CHAIRMAN GEDDES: Next, I will call Nicolus P.
7 Hardeman.

8 MR. ELLIOTT: Mr. Chairman.

9 CHAIRMAN GEDDES: Yes, Mr. Elliott.

10 MR. ELLIOTT: Before you call the next witness, I
11 would like to make a comment that on these budgetary practices
12 it might be desirable to compare the practices at Long Beach
13 State College with the other state colleges and come up with a
14 recommendation on both.

15 CHAIRMAN GEDDES: I think that's quite proper. Thank
16 you very much, Mr. Elliott.

17 Mr. Hardeman, please. Give your name and the position
18 you hold at Long Beach State College to the reporter.

19 MR. HARDEMAN: I am Nicolus P. Hardeman, Assistant
20 Professor of History, Long Beach State College and also the
21 President of California State Employees' Association, Chapter
22 110, Long Beach State College. We have approximately 440 or
23 450 members and that includes about 80% of the members of the
24 faculty. I should like to make a brief statement, if I may,
25 with reference to the position of the student in the affairs
26 of Long Beach State College. I think this may be a justifiable

1 point of view to take and I shall keep it as brief as possible.

2 CHAIRMAN GEDDES: All right, proceed.

3 MR. HARDEMAN: I won't belabor the point. I shall not
4 belabor the point that we are a big college and that we are part
5 of a state college system which has as big an enrollment as we
6 have because this covers it quite adequately.

7 I'd like to state that I think the most important
8 question before our State College today is, does the student get
9 the high caliber of education which the State Legislature in-
10 tended for him to receive? And in view of the conditions which
11 exist, I doubt that the answer would be in the affirmative.
12 This is a general subject since I think that whenever a situation
13 exists which fouls up the faculty, it is bound to foul up the
14 students.

15 A corps of exceptionally good students, I think, is
16 necessary in any institution to up the level of competition and
17 to stimulate better faculty performance, and I think that the
18 philosophy, "If you don't like it here, go somewhere else,"
19 is no answer to a student; it's no answer to a faculty member;
20 it's no answer to the taxpayer. Bad conditions lower the morale
21 of the students and low morale is devastating to effective study.

22 If student confidence in a college is shaken because
23 of the conditions which exist there, it lowers student morale.
24 There is a problem here of fear on the part of the students,
25 that they may undergo a kind of degree devaluation process
26 because of what employers out in the field might hear of

1 conditions in the college, and this is indeed a demoralizing
2 thing.

3 The constant turmoil resulting from bad administration-
4 faculty relations at Long Beach State College interfere with the
5 most effective teaching. Whenever one interferes with the most
6 effective teaching he also obviously interferes with the most
7 effective learning.

8 A tight centralized control of the curriculum by the
9 administration is not good for faculty morale when their recom-
10 mendations are ignored and when they receive back reports which
11 state merely "rejected" without reasons being given.

12 Indirectly, of course, this hurts the students when
13 it hurts the faculty morale and directly it hurts students be-
14 cause it frequently results in a poor curriculum.

15 The assignment of faculty members to courses for which
16 they have not been specifically and formally prepared to teach
17 is not necessarily good practice for the good student, or
18 rather it is necessarily not a good practice in the eyes of the
19 students. The student is entitled to courses taught by pro-
20 fessors who have had the best possible training in those areas.

21 I shall move on through these points as rapidly as
22 possible. It is believed that the administration at Long Beach
23 State College may have attempted to contribute to the graduation
24 of people who have not met all of the requirements, and the
25 mere suggestion that such a practice could exist is demoralizing
26 to the student. The mere suspicion that a less deserving person

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1 might be propelled ahead or a very deserving person might be
2 held up by the flick of an administrator's pen, whether it
3 exists or not, the suspicion of it is devastating and there are
4 statements that it does exist.

5 On a number of occasions there appears to have been
6 direct pressure from administrators to lower grading standards,
7 and I don't think this is the age in which we are concerned
8 about this lowering of grading standard.

9 One point I'd like to elaborate somewhat more in de-
10 tail. Students apparently are solicited to talk to administra-
11 tors about the faculty, and the resultant information which is
12 most likely to come from poor students who are trying to blame
13 professors for the low grades they receive, is used unwisely.
14 It is apparent that several faculty members at Long Beach State
15 College have been dismissed because of the unchallenged, unver-
16 ified complaints of poor students. Because of the apparent
17 oversympathetic administrative ear, some students seem to have
18 sensed their power to intimidate faculty into "gift" grading.
19 This gives an unfair break to the most unprincipled students
20 who are assured by administrators that their identity will not
21 be divulged. Some faculty members no longer report grade
22 deficiencies at midterm because they feel that the administra-
23 tion through the counseling service will attempt to undermine
24 them with the "grudge" testimony of students whose scholarship
25 is unsatisfactory. Under a system which deliberately elicits
26 student complaints, clothes the identity of the student in

1 secrecy, and attempts to dispose of the accused, academic
2 standards are very likely to suffer. If such complaints can be
3 used as grounds for punitive action, the administration can single
4 out the faculty member which it wants to eliminate for whatever
5 the cause, and then proceed to find the "reasons" by talking to
6 a few "D" and "F" students who can level any accusation with the
7 assurance that they will not be confronted by the accused.
8 Students and faculty can thus be pitted against each other by
9 this vicious administrative practice, and the feeling of mutual
10 confidence between students and faculty, so necessary to an
11 effective interchange of knowledge, is dealt a serious blow.

12 Long Beach State College has an inordinately high
13 percentage of working students. We need a formula which will
14 reduce the course load of working students. If there is no
15 limit they will tackle anything and it is detrimental to their
16 health. I know many persons, examples which we've known per-
17 sonally in which this has been the case. It's detrimental to
18 their scholarship and I think since so many of them drop out
19 before the semester is over, it is a distinct waste of the tax-
20 payer's money.

21 If we had a clearly defined classroom work ratio which
22 might be altered somewhat in the case of exceptional students
23 by petition, I think that we would improve scholarship students
24 morale although it's likely that FTE or full time equivalent
25 would be reduced somewhat.

26 For a number of reasons faculty members are becoming

1 more and more overworked, according academic rank to administra-
2 tors who do not perform academic duties and thus throwing
3 additional load in terms of number of students on other faculty
4 members and using funds which could be available for student
5 assistants in other channels such as the hiring of additional
6 secretaries; ballooning enrollments could be added to this.
7 Where the teaching load is heavy enough, where individuals have
8 several hundred students, it's very difficult to get the most
9 effective education in terms of the individual attention devoted
10 to the students by the faculty member.

11 Faculty confidence in the administration is lessened
12 by the knowledge that the administration or certain members of
13 it oppose the tenure law. One stated reason for this hostility
14 towards tenure is that it permits faculty members to "go to
15 seed," while it is commonly believed that "going to seed" would
16 be interpreted as disagreeing with the members of the adminis-
17 tration.

18 The decade-old reputation of Long Beach State College
19 has become so commonly known that certain professional groups --
20 along in line with what Mr. Gaffney was saying awhile ago --
21 certain professional groups such as the Western Speech Association
22 have stated that they will not recommend Long Beach State College
23 to potential faculty members or to people who might be employed
24 here. This extends even further. I heard a man from another
25 state college state, at least allegedly, that because of con-
26 ditions at Long Beach State he was unable to hire certain people

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1 in his own state college, a different state college from Long
2 Beach State College. And many other conditions can be cited as
3 an indication that mutual confidence has been broken down. And
4 as I point out awhile ago if confidence between faculty and
5 administration is broken down, this is bound to result in lower
6 faculty morale thus effecting teaching with a detrimental effect
7 on the student.

8 I think that is all that I have to say.

9 CHAIRMAN GEDDES: O.K., thank you very much, sir, and
10 your full statement will be put in the record. I think it's
11 quite complete.

12 MR. PORTER: Could I ask a question first, Mr.
13 Chairman, and I'll try to make it brief?

14 CHAIRMAN GEDDES: Yes, Mr. Porter.

15 MR. PORTER: Your testimony is different, Mr.
16 Hardeman, isn't it --

17 MR. HARDEMAN: Yes.

18 MR. PORTER: (Continuing) -- from the previous testi-
19 mony, but we have had thus far testimony about the problems of
20 Mr. Black and Mr. Martin, and we have had testimony and that
21 testimony reflected against the administration. We have had
22 testimony concerning the budgeting of business practices, and
23 that testimony reflected against the administration of the
24 College.

25 Now, we have testimony about the student morale,
26 student relationship, and then the teacher morale. Of course

1 that testimony likewise reflected against the administration.
2 Now, does all of the faculty group agree with all of this,
3 let's say, negative testimony?

4 MR. HARDEMAN: I would certainly hesitate to speak for
5 all the faculty group, sir, but I just think from my own
6 interests that a substantial majority of the members of the
7 faculty do agree. I think that we might take some of the votes
8 which have occurred in the ACSCI organization as a sampling and
9 that the presidents of that organization from the last year --
10 and this could probably give you some statistics there, which
11 I think would be quite impressive -- almost unanimity of opinion
12 on some crucial matters.

13 MR. PORTER: Yes. Now, on this one point where you
14 say that instructors no longer send out midterm notices --

15 MR. HARDEMAN: Some instructors do.

16 MR. PORTER: Some of them, yes. Do all of those,
17 first of all, is that a very large number?

18 MR. HARDEMAN: I don't know. I know of probably a
19 dozen or so in a small realm and I assume there may be consider-
20 ably more, although I wouldn't state on that point. I think
21 Dean Rhodes made a reference to this when he said some other
22 information came through the counseling service. It is possible
23 through the counseling service that "D" and "F" service students,
24 those doing unsatisfactory work at midterm, and that is fairly
25 common practice for them to go to the counselors and this is a
26 channel for which the poorer students have an opportunity to

1 air their grievances against their instructors, and this I
2 would not find objectionable if I had complete confidence that
3 these things were being used wisely.

4 However, in view of some of the conditions which have
5 prevailed and in view of some of the testimony given here today,
6 I would be sceptical about that.

7 MR. PORTER: On that very point you made what seemed
8 to me to be an allegation, that the administration counselor --
9 I think you may have said administrator -- would bring pressure
10 to bear on a teacher to raise that student's grade?

11 MR. HARDEMAN: No, I didn't intend to make any such
12 allegation, sir. I don't know of any such specific examples,
13 although I've heard of some cases which I believe are fairly
14 well verified by statements from the faculty members that there
15 has been pressure on grading in the case of several individuals.

16 MR. PORTER: That's the point I meant to bring up,
17 too. You made an allegation then that there would be an
18 attitude among certain of the instructors, that attitude would
19 be reflected from the administration that it would be more
20 peaceful, perhaps, to not send out such notices. How would that
21 be reflected? In what kind of language would the attitude of
22 the administration be reflected through the classroom to the
23 classroom teacher that it would be better since notices weren't
24 sent out?

25 MR. HARDEMAN: Perhaps in the notices of dismissal or
26 failure to rehire which Dr. Martin and Mr. Black received. I

1 could think of this as a possible example of this type of thing,
2 the way it is reflected upon the faculty member. If this
3 happens to one faculty member, then there is a question in the
4 mind of every faculty member, especially untenured or even un-
5 promoted, as to whether or not he will be the next Martin or
6 Black.

7 MR. PORTER: You mean that one of the reasons then
8 for not being re-employed might be given, "you flunked too
9 many students"?

10 MR. HARDEMAN: I think that would be a proper state-
11 ment, yes sir.

12 MR. PORTER: All right. Thank you.

13 MR. HANNA: May I ask one other question, Mr.
14 Chairman?

15 CHAIRMAN GEDDES: Mr. Hanna.

16 MR. HANNA: Did you mean to imply, too, in the pres-
17 sure brought to raise grades, that a professor who knew the
18 channels through which his superiors might gain information,
19 who had a troublesome student that he wanted to give a very low
20 grade to and knowing that that student was going to the
21 counselor and might make comments about him, might be concerned
22 about putting the student on notice that he was flunking him
23 with the reaction that possibly that student might be out to
24 get him in a sense? Am I reading something into that?

25 MR. HARDEMAN: No, I think it's quite a proper question
26 and I will answer it this way, that in the light of the lack of

1 confidence between faculty and administration, and in view of
2 the fact that an instructor's security or professor's security
3 might be impaired, it's a very logical thing to cross his mind.
4 It would depend on the individual as to what he did about this
5 kind of situation, but I am sure that most of us have come
6 across situations like this. If there is a very high level of
7 confidence between faculty members and administration, I don't
8 think there would be a very serious problem at all.

9 CHAIRMAN GEDDES: O.K., thank you, sir.

10 (The statement of Nicholas P. Hardeman is incorporated
11 into the record as follows:)

12 "Statement of Nicholas P. Hardeman, Assistant
13 Professor of History and President of California State Employees
14 Association, Long Beach State College, before the Subcommittee
15 on Extension and Restriction of Tenure, Committee on Education
16 of the Assembly of the State of California, December 6, 1958.

17 "THE LONG BEACH STATE COLLEGE SITUATION AS IT AFFECTS
18 THE STUDENTS

19 "The California State College system is the largest
20 system of higher education in the free world. Like colleges
21 all across the nation, California State Colleges today are con-
22 fronted with the greatest crisis and the highest challenge ever
23 thrown before an educational system. Quality must measure up
24 to quantity. Anything less than the best is not good enough,
25 for, in today's world of international competition, to place
26 second is to place last.

1 "The most important question before our state colleges
2 today is: 'Does the student get the high caliber of education
3 which the legislature intended him to receive?' Under the pres-
4 ent administrative structure, which has permitted administrative
5 abuses, the answer to this all-important question is 'No!'

6 "Every weakness in an educational system filters down
7 to the student and impairs his chances for a good education.
8 A complete analysis of the problems at Long Beach State College
9 as they affect the student would amount to a discussion of every
10 one of the numerous problems.

11 "The following is a list of some general conditions
12 detrimental to the student:

13 "1. A core of exceptionally good students is essen-
14 tial to the maintenance of high standards. Good students
15 frequently abandon colleges where many bad administrative con-
16 ditions exist. The philosophy 'If you don't like it here,
17 go somewhere else,' is no answer to the problems of students,
18 faculty or taxpayers. It only perpetuates and worsen unfavor-
19 able conditions.

20 "2. Bad conditions lower student morale, and low
21 morale is devastating to effective study.

22 "3. Student confidence in the college has been shaken
23 as a result of unwise administrative practices. Knowledge of
24 bad conditions is widespread. In the eyes of employers the
25 value of degrees may be lowered. The future of graduates is
26 thus impaired. Students want their degrees to be worth as much

1 as possible. They rightfully fear this demoralizing devaluation
2 of degrees.

3 "4. The constant turmoil resulting from bad adminis-
4 tration-faculty relations at Long Beach State College and the
5 apparent feeling of contempt which the administration holds for
6 the faculty are damaging to faculty morale and thus detrimental
7 to good teaching. Less effective teaching means less effective
8 learning for the student.

9 "5. Iron-fisted control of the curriculum by the
10 administration in disregard of faculty advice results in a poor
11 curriculum. The student suffers directly from this unwise
12 planning as well as indirectly through the resultant damage to
13 faculty morale.

14 "6. The frequent assignment of faculty members to
15 subjects outside their fields of special training is an inde-
16 fensible practice which wastes the taxpayer's money. The student
17 is entitled to courses taught by professors who are trained in
18 the subjects which they teach.

19 "7. It is believed that the administration at Long
20 Beach State College has attempted to graduate people who had
21 not met the legal requirements. To the student who has worked
22 diligently for his degree, the mere suspicion that his efforts
23 may be written off or that a less deserving student may be pro-
24 pelled to success by the mere flick of an administrator's pen
25 is demoralizing beyond description.

26 "8. On a number of occasions there appears to have

1 been direct pressure from administrators to lower grading stan-
2 dards, such as statements that 'Any professor who gives a high
3 percentage of D's and F's is not a good teacher,' and 'There
4 are too many professors here who are trying to establish uni-
5 versity grading standards,' and 'our students are not university
6 caliber students.' The practice of reducing standards cheapens
7 the degree and ultimately is harmful to students and our
8 society as a whole.

9 "9. Students apparently are solicited to talk to
10 administrators about the faculty, and the resultant information,
11 which is most likely to come from poor students who are trying
12 to blame professors for the low grades they receive, is used
13 unwisely. It is apparent that several faculty members at Long
14 Beach State College have been dismissed because of the unchal-
15 lenged, unverified complaints of poor students. Because of the
16 apparent oversympathetic administrative ear, some students seem
17 to have sensed their power to intimidate faculty into 'gift'
18 grading. This gives an unfair break to the most unprincipled
19 students who are assured by administrators that their identity
20 will not be divulged. Some faculty members no longer report
21 grade deficiencies at midterm because they feel that the admin-
22 istration will attempt to undermine them with the 'grudge'
23 testimony of students whose scholarship is unsatisfactory.
24 Under a system which deliberately elicits student complaints,
25 clothes the identity of the student in secrecy, and attempts to
26 dispose of the accused, academic standards are very likely to

1 suffer. If such complaints can be used as grounds for punitive
2 action, the administration can single out the faculty member
3 which it wants to eliminate for whatever cause, and then proceed
4 to find the 'reasons' by talking to a few 'D' and 'F' students
5 who can level any accusation with the assurance that they will
6 not be confronted by the accused. Students and faculty can thus
7 be pitted against each other by this vicious administrative
8 practice, and the feeling of mutual confidence between students
9 and faculty, so necessary to an effective interchange of know-
10 ledge, is dealt a serious blow.

11 "10. Long Beach State College has an inordinately
12 high percentage of working students. Apparently in order to
13 increase the FTE (full time equivalent) statistics, the admin-
14 istration has never defined the maximum number of units which
15 can be undertaken in conjunction with various work loads. As
16 a result, many students attempt to carry loads which are in-
17 jurious to their health and scholarship. A high percentage of
18 withdrawals results, at considerable needless expense to the
19 state. The 'over-working student' philosophy has become so
20 prevalent that professors are often expected to show leniency
21 in matters of grading and attendance. Application of a carefully
22 structured work-classroom ratio would benefit the students in
23 the long run and would improve the quality of scholarship,
24 although it probably would reduce the FTE.

25 "11. Academic rank is accorded to a number of admin-
26 istrators who do not perform academic duties, thus throwing

1 additional students on to those who teach. Funds available for
2 student assistants are subverted into other channels. Balloon-
3 ing enrollments in courses round out a picture of over-worked
4 professors who cannot devote to the students the individual
5 attention which effective higher education demands.

6 "12. Some students have stated that they were told
7 to stop complaining about registration procedures or they would
8 be compelled to register last. This attitude shows little
9 respect for student suggestions which could result in improve-
10 ment of registration procedures.

11 "13. Faculty confidence in the administration is
12 lessened by the knowledge that the administration opposes the
13 tenure law. One stated reason for this hostility toward tenure
14 is that it permits faculty members to 'go to seed.' It is
15 evident, however, that 'going to seed' means saying or doing
16 anything with which the administration disagrees.

17 "14. The decade-old reputation of Long Beach State
18 College has become so commonly known that certain professional
19 groups, such as the Western Speech Association, advise pro-
20 fessors not to accept positions at the Long Beach Campus.
21 Recruitment of competent faculty members will become increas-
22 ingly difficult, with unfavorable consequences for student
23 education, as long as bad conditions persist.

24 "15. The education of the student, and thus the very
25 purpose for which the state colleges exist, is undermined by the
26 foregoing apparent shortcomings in the administration of Long

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1 Beach State College and the state college system. Many other
2 allegations can be added to the list - 'character assassina-
3 tion' of and whispering campaigns against certain faculty
4 members, loss of competent professors who availed themselves
5 of opportunities to move away from bad administrative practices,
6 administrative statements that legal authority must not be
7 undermined by 'group rule', undue administrative centralization,
8 'editing' of faculty accreditation reports in a form better
9 described as falsification, promotion of a disproportionately
10 large number of people with administrative assignments, chas-
11 tising of faculty members for statements made in an article or
12 speeches, unwise statements of administrators at several divi-
13 sional and college-wide faculty meetings, nepotism, misuse of
14 state and student funds, arbitrary hiring of people whose
15 training duplicates that of existing faculty members, etc.
16 By its acts the administration has shown that it lacks confi-
17 dence in the faculty which it hired. As a result of these acts,
18 the faculty, reluctantly but steadily, has lost confidence in
19 the administration. So many administrative abuses have been
20 verified, such an atmosphere of suspicion pervades the campus,
21 that even misinformation is likely to be believed. Such is
22 the tragedy of a situation characterized by a lack of confidence.
23 The greater tragedy is that the students are getting less than
24 the education which they were intended to get. Much good teach-
25 ing is still being done in spite of the foregoing conditions.
26 But the best teaching will only be done when these conditions

1 are remedied at the state and local levels. If remedies come
2 in time, those students who satisfactorily complete their 124
3 selected units for the bachelors degree may walk with justifiable
4 pride through their commencement exercises in the full and
5 satisfying knowledge that their degrees are acceptable in any
6 company."

7 CHAIRMAN GEDDES: Mr. George R. Cerveny.

8 (Thereupon Mr. George R. Cerveny was duly and regu-
9 larly sworn by Chairman Geddes:)

10 CHAIRMAN GEDDES: Be seated and give your name and
11 position that you hold at Long Beach State College.

12 MR. CERVENY: I am George R. Cerveny, C-e-r-v-e-n-y.
13 I'm a Professor of English. I have been relieved of some of my
14 teaching duties to serve as chairman of the Division of
15 Language and Art.

16 CHAIRMAN GEDDES: Now, you've heard the statements
17 made by both sides, if there are two sides, at least the admin-
18 istrations' point of view and the things that resulted from
19 that and also the complaints which have been presented to us.
20 Do you have a statement that you would like to make that per-
21 tains particularly to the subject of tenure or anything that
22 we've heard today?

23 MR. CERVENY: No, I didn't prepare a statement. I
24 assumed I was to answer questions.

25 CHAIRMAN GEDDES: All right, then, Mr. Marshall will
26 you ask any questions you wish?

1 MR. MARSHALL: Well, Dr. Cervený, why don't you
2 explain to us what you feel is the trouble now at Long Beach
3 State College between the faculty and the administration?

4 DR. CERVENÝ: Well, I think I can perhaps pick off
5 three or four items. I would say that for one the administra-
6 tion has not been very successful in establishing faculty
7 routines which would permit the administration to use the
8 faculty talents in matters of curriculum, give faculty advice
9 in matters of curriculum and other matters of general faculty
10 life. That would be one. I think the faculty itself has
11 been somewhat remiss in this matter.

12 In my estimation it's a pretty young faculty and it
13 has a certain amount of inexperience -- at least it did have;
14 it's gaining more rapidly -- which has been a frustration to
15 the administration. This still continues to a certain extent,
16 for instance, if I may be allowed an instance, the English
17 Department which now has a constitution of its own with a com-
18 plete organization which looks very good to all of us and which
19 I am sure will function at the departmental level, has a cur-
20 riculum committee currently engaged in planning additional
21 curriculum. We are told we are to have one new faculty member
22 for next year. We are also told that we are to have up to
23 243 additional freshmen. We already have a very busy faculty,
24 and yet the committee turned into the English Department a
25 request for 16 new advanced courses and said nothing whatever
26 about the freshmen that are coming in.

1 Well, obviously we can't handle this and obviously this
2 has to point this out to them, and it will fall upon my
3 shoulders to do and when I do, I think the majority of them
4 appreciate my dilemma -- some of them sure enough are going to
5 say that I am a dictator when I suggest that the alternative to
6 the increase in upper division sections and the increase in
7 students of lower division sections will amount to perhaps
8 increasing the size of the sections. They all have feelings of
9 despair as they naturally would. Now, there's enough of this
10 kind of grievance and it's good will -- I don't think they are
11 mean about it. I just think they don't understand that there
12 has to be a balance between the staff and the students and
13 there also has to be a balance between this department and some
14 other department. And I think with a little more spirit of co-
15 operation that some of these problems could have been solved
16 without all the hullabaloo that we have had.

17 Another one of my observations, and another observa-
18 tion I'd like to make, is this: the state colleges have a
19 tradition as teacher training institutions. This required or
20 brought about certain attitudes and points of view. There's
21 been a considerable transition in this point of view in the
22 state. We are now in effect the liberal arts colleges and
23 might well be thought of as universities. The staff is composed
24 of people who are in part liberal arts point of view. I think
25 I have a liberal arts point of view. That brings us into con-
26 flict with the tradition.

1 I personally respect administration very much, yet
2 I'm of the opinion that they do not or have not shown that they
3 fully understand the liberal arts point of view. There is
4 inevitably conflict on that point.

5 My final point, which I think might be thought of as
6 a new one here, since it hasn't appeared yet, is that I believe
7 that a small proportion of the faculty are determined to
8 destroy the power of the President's office, that is, they'd
9 like to see a situation in which the faculty had complete
10 power to hire, to build curriculum, and to do these other
11 things. I think that's a factor in the quarrel that we are now
12 witnessing.

13 But that would be my general statement of the situation.

14 MR. MARSHALL: Go ahead.

15 MR. HANNA: Mr. Chairman.

16 CHAIRMAN GEDDES: Mr. Hanna.

17 MR. HANNA: Do you know or could you tell us, what do
18 we have about 300 to 400 professors or instructors in the State
19 College at the present time?

20 DR. CERVENY: I'm not sure of the figure but I believe
21 it's around 340, 350.

22 MR. HANNA: Of that number do you have any idea as to
23 what percentage of those have ever taught in a state college
24 before coming to Long Beach State College?

25 DR. CERVENY: I wouldn't have any idea as to number.
26 I could conjecture that most of them had come from big

1 universities where they had done considerable of their appren-
2 tice work, that is, the younger ones, while they were doing
3 their doctorate and the doctorates would come from the big
4 universities.

5 MR. HANNA: Is there any general program for orienta-
6 tion or indoctrination to the general overall philosophy and
7 policies and so forth within a California state college that
8 are made available to these people when they come to you?

9 DR. CERVENY: Well, we have a faculty manual which I
10 think does considerable of this. We haven't been able to get
11 it out this year because there have been so many revisions
12 pending that it's delayed. There is an orientation discussion
13 at the beginning of each year with the new people in which the
14 details of health insurance, pensions, and such matters are
15 explained. Then, as to the actual relations or orientation
16 between the new teacher and his administrators at his level,
17 they are turned over to the administrators for assignment to
18 their classes. The class outline is given, the textbooks are
19 provided; I think in general I could say we have a fair
20 orientation program.

21 MR. HANNA: Well, how do you fit that in with the
22 statement that you gave us that you didn't feel that the
23 professors on the teaching level appreciated some of the problems
24 there?

25 DR. CERVENY: Well, I think the problems are the ad-
26 ministrative problems, that is, I have a feeling that there's

1 a general lack of sympathy with the administration over the
2 problem of new staff. It could well be that if these things
3 were more clearly explained to us, they might be more under-
4 standable.

5 MR. HANNA: Just one other question. Do you think
6 that last point you made about the destruction of the power of
7 the President at Long Beach State College might have been
8 engendered because of the personality conflict of this particu-
9 lar president and does not reflect an objective evaluation of
10 that position objectively?

11 DR. CERVENY: I would say it's both. There are some
12 people who perhaps visualize themselves as protecting them-
13 selves against an administration by getting this power, but
14 there are other persons, whom I suspect very much as educational
15 philosophers who contend this is the right way to run a college,
16 and there are colleges in which this is done. I don't know that
17 a state college could ever do it, but there are colleges in
18 which this could be done, so when they take a philosophic
19 position I respect the position, although I disagree with them
20 in our particular instance.

21 MR. HANNA: Thank you very much. Mr. Gaffney has a
22 question, Mr. Chairman.

23 CHAIRMAN GEDDES: Mr. Gaffney has a question.

24 MR. GAFFNEY: Do you really believe that there
25 should be a division of authority in conducting a college
26 between the faculty and the administrative staff, or don't you

1 realize that you must have a centralization of authority?

2 DR. CERVENY: As I said, I certainly misrepresented
3 myself, sir. I strongly believe in a central authority but in
4 a central authority which is able to draw on the wisdom of his
5 staff in making his recommendations and building his structures.

6 MR. GAFFNEY: Consultation, for instance, consultation
7 on problems and so forth?

8 DR. CERVENY: Yes.

9 MR. GAFFNEY: But the authority should rest with the
10 President and his administrators?

11 DR. CERVENY: I'm very sure of that, sir.

12 MR. GAFFNEY: And not create a situation like we've
13 had here today that you have kids with no -- in fact, some of
14 them don't belong there at all. I'm not defending one of the
15 persons concerned with his nonsense about I.Q.'s -- the army
16 and navy knocked that I.Q. nonsense as high as a kite -- but
17 I'm not defending them on that at all, but I do deplore a
18 situation where kids with a low efficiency blame their teacher
19 and go squealing to the administrator and bring about unsavory
20 conditions, where there should be teamwork between the
21 president and his staff and the faculty and the student body.
22 Otherwise you don't have an institution, you have chaotic con-
23 ditions that are deplorable, and we are spending \$21,000,000
24 more over in Long Beach during the next five years, and I
25 don't like to be caustic but by golly I sat on this committee
26 for almost 16 years and viewed a lot of things that have to do

1 with education and this committee meeting here today, boy,
2 we've learned some things, brother.

3 CHAIRMAN GEDDES: Any other questions, gentlemen?

4 DR. CERVENY: I don't know whether there was a question
5 involved in this or not.

6 MR. GAFFNEY: An observation, but I think you can
7 gain something from the observation.

8 DR. CERVENY: I think so, Mr. Gaffney. Thank you
9 very much. Thank you very much, sir.

10 CHAIRMAN GEDDES: Did you have a further statement to
11 make?

12 DR. CERVENY: No, I have no statement to make. I was
13 concerned with asking questions.

14 CHAIRMAN GEDDES: Thank you very much.

15 I'd like to call C. Thomas Dean.

16 (Thereupon Dr. C. Thomas Dean was duly and regularly
17 sworn by Chairman Geddes.)

18 CHAIRMAN GEDDES: You may be seated, please. Give us
19 your name and official connection with Long Beach State College.

20 DR. DEAN: I am C. Thomas Dean, head of the Department
21 of Industrial Arts and Industrial Technology.

22 CHAIRMAN GEDDES: Do you have any questions for him?

23 MR. MARSHALL: What is your educational background,
24 Dr. Dean?

25 DR. DEAN: I have a Ph.D. in Vocational Education
26 with a minor in Industrial Engineering and a minor in

1 Psychology specializing in guidance.

2 MR. MARSHALL: What do you feel is the matter between
3 the faculty and the administration at Long Beach State College
4 and the causes behind them?

5 DR. DEAN: I think that a big part of the problem has
6 been due to the rapid growth of the College and the effort in
7 trying to assimilate the large number of staff members that are
8 brought in each year, and to get the communications so that
9 they are going up as well as down at all levels, so that every-
10 one knows exactly what is taking place and they feel they are
11 not being left out and being persecuted because of something
12 that takes place.

13 MR. MARSHALL: Do you think there are some personal
14 ambitions involved in some of the people who are causing this
15 or at least being vocal about this at the College?

16 DR. DEAN: I feel that way, yes sir. I think that
17 there are some of these fellows that are inexperienced in
18 many respects in administration, trying to perhaps set forth
19 administrative policies that really they haven't had the ex-
20 perience and the background to do.

21 MR. MARSHALL: What do you think of the administration
22 at Long Beach State College?

23 DR. DEAN: I came there six years ago, going on seven
24 years, and I have had some differences of opinion with the ad-
25 ministration on certain items, on the curriculum development and
26 the courses once in awhile, but I have always found that at any

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1 time that I had a difference I've been able to resolve them by
2 going in, sitting down and discussing them. No problem at all.
3 Whenever I raised the question and wanted to discuss it, I
4 found that I had open door policy to do so. The door was never
5 closed.

6 MR. MARSHALL: Do you think this has held true in
7 other departments besides your own?

8 DR. DEAN: Well, I would gather from what the other
9 departments have said that this might not be entirely true.
10 In my case when I came there going on seven years ago, I started
11 in and developed a program of industrial art, developed it from
12 scratch. It was by that means that we have hired staff, we
13 have developed three curricula, Bachelor of Arts, in industrial
14 arts; a Master of Arts in industrial arts and recently a
15 Bachelor of Science in industrial technology. At no time along
16 the line in the employment of staff, in the planning of
17 buildings, in the work of the budget, in the dismissal of staff,
18 that did not fit into our particular pattern that we couldn't
19 resolve the question amicably.

20 MR. MARSHALL: We've had some reference today that
21 some departments within the College are favored when it comes
22 to budgetary matters. Do you feel that perhaps yours is one of
23 these or do you think this is the case at the College?

24 DR. DEAN: I feel we have been very well treated as
25 far as budget is concerned and there are some on the staff that
26 feel that we have probably been favored in the varied field of

1 industrial arts, but I also feel that whenever we have had any-
2 thing given to us or we have asked for anything, that we have
3 used it wisely and we have used it to the best interests of the
4 entire College for our staff and for our students.

5 MR. MARSHALL: That's all I have, Mr. Chairman.

6 CHAIRMAN GEDDES: Any questions from the Committee?
7 Thank you very much.

8 I'd like to call --

9 DR. DEAN: I could make one point.

10 CHAIRMAN GEDDES: Yes?

11 DR. DEAN: The point was made on grading awhile ago
12 and I would like very much to take issue on that. We in our
13 area have found the opposite to be true. We have been accused
14 or the administration has questioned us on our grading policies.
15 When we came up for accreditation and the study was made on the
16 grading policies; our grades, seeing as how we had our own
17 majors primarily, ran higher than the College norms and we
18 were requested by the administration to study our grading
19 policies and bring them into line with that which appeared
20 across the College all the way through.

21 CHAIRMAN GEDDES: Do you feel that that was due
22 diligence again on the part of the administration that they
23 had a point there?

24 DR. DEAN: They had a point I think, yes sir.

25 MR. GAFFNEY: Mr. Chairman, one brief question on
26 grading.

1 CHAIRMAN GEDDES: Mr. Gaffney.

2 MR. GAFFNEY: Is it true that some members of the
3 faculty are reluctant to raise grades in midterm for fear that
4 the unqualified student will go squealing to the administration
5 and make trouble for him?

6 DR. DEAN: Not to my knowledge, sir; nobody has ever
7 approached us.

8 MR. GAFFNEY: The testimony was offered to us, and I
9 hope such a thing does not exist.

10 DR. DEAN: I have not heard of it at any time at the
11 College in my seven years there and it has never been brought
12 to the attention of our department in any way.

13 CHAIRMAN GEDDES: What would you think of the academic
14 standard if it could be proven that there were professors that
15 were doing that and habitually did it? How would you regard
16 him, as being rather weak-spined?

17 DR. DEAN: Rather weak-spined and unethical, sir.

18 CHAIRMAN GEDDES: Calling Howard E. Kimball.
19 All right, sir, do you want to make a statement first or do you
20 want to question him, Mr. Marshall?

21 Will you give your full name?

22 MR. KIMBALL: I am Howard E. Kimball, Associate
23 Professor of History and President of the Long Beach State
24 College Chapter of the Association of California State College
25 Instructors. I'd like to say just one other thing. I've been
26 here since 1951.

1 MR. MARSHALL: I notice you have a statement. Could
2 you summarize it in five minutes for us?

3 MR. KIMBALL: I would like to summarize it. I would
4 like to make just two or three remarks. First, I was once
5 fired at Long Beach State College in 1952 and after the hearing,
6 it was in 1953, I was rehired almost immediately. I am
7 certainly not taking the point of view that the Committee could
8 do anything about rehiring Dr. Martin or Mr. Black, but I
9 believe it's within the power of the State Department of
10 Education to do this very easily. They did it once for me. I
11 think personally this would do a great deal to restore morale
12 at Long Beach State College.

13 I don't believe it's a question of wanting to inter-
14 fere with the prerogatives of the President. I think the
15 President perhaps now feels there's been a mistake made. I'll
16 just give you my personal opinion.

17 CHAIRMAN GEDDES: Well, could I interpolate this
18 question right there? In your particular case which you have
19 volunteered to tell us about, did the State Department of
20 Education, I mean the State Board of Education, go over the
21 head of the President or did the President change his recommenda-
22 tion?

23 MR. KIMBALL: I believe -- in fact, I know as far as
24 I can know such things, that the President changed his recom-
25 mendation on the recommendation of higher authority.

26 CHAIRMAN GEDDES: All right, Mr. Marshall.

1 MR. MARSHALL: He has a statement.

2 CHAIRMAN GEDDES: You want to make a statement?

3 MR. KIMBALL: I wanted to make a couple of remarks
4 anyway. Several references have been made to the student
5 counseling and I hope before the afternoon is over you will
6 have a chance to call Dean Russell. I'd like to make mine very
7 short, if it's interfering in any way, and I hope also you can
8 call Professor Melom and Professor Morehead. I think that the
9 Committee would be very, very interested in hearing them.

10 I am one of the professors that do not turn in their
11 midterm grades that people are failing; nobody could ever
12 accuse me of having no backbone; have too much of it, perhaps,
13 but I think it's just a question of wisdom under these con-
14 ditions.

15 The point of view of my report is that along the line
16 that Dr. Vasche took and I am looking at it as I say from the
17 other end. That's what happened at Long Beach. I give a little
18 history of what I think happened at Long Beach since 1951. I
19 think it's almost impossible for the State Department of
20 Education to supervise an individual state college. I think I
21 could not do this, no matter how much staff was given to them.

22 In reading over the report, I think I do refer to
23 the identical statements that Dr. Vasche referred to. I think
24 they did honestly try to supervise it. I think his estimation
25 of what took place is not correct, that is, we had many
26 committees; in fact to point out, we had I believe 121 posts

1 created. Of the 121 posts, 66% of posts were given to admin-
2 istrators as compared to 34 to faculty. Four deans held more
3 positions than those held by the entire faculty.

4 I think that the State Department of Education did
5 want to check this and this was brought to their attention and
6 they did try to reform it and their intentions are the best,
7 and I still say it's almost impossible to do.

8 Another item that I bring out in the testimony that
9 I do want to dwell on is about 1952 or 1953 the State Depart-
10 ment of Education became convinced that everything was all right
11 in Long Beach State College. I think this was incorrect. I
12 have some evidence to show in, let's say the accreditation
13 reports, which I think Dr. Vasche pointed out was the means by
14 which they tested whether or not things were improving in the
15 Long Beach State College. On page 5 and on page 6 I just have
16 an example. I don't say that this is for the whole College but
17 I have reason to believe that it was because I have checked it
18 with other people. In my judgment on page 5 and page 6, it
19 shows something that's very close to falsification of records.

20 The last point that I'd like to make, I believe at
21 this stage the report as given by Dr. Vasche is unrealistic.
22 I think some of you perhaps realize that this is the situation,
23 but it's improved and it's a serious one locally.

24 If I might say just a couple of other things: I don't
25 know whether I am young or old. I think I am half way between.

26 CHAIRMAN GEDDES: That's the problem when middle age

1 begins.

2 MR. KIMBALL: I'd like to pretend I'm young, but I
3 know I am growing old. Most of the faculty came from out of
4 state and the first thing that is told to them, we must fit
5 into the state college philosophy. I think this is something
6 that all of us wondered what it is. In contrast, I was born
7 and raised in California, and went to all of the public schools
8 including the junior college and the state university. When I
9 came out of school I came out in the depression. I am not
10 trying to brag but I've had experience in the sense of public
11 schools. I've taught in the intermediate schools, four years
12 in junior college, two and a half years in high school and in
13 a junior college and I taught in a state university as teaching
14 assistant for three years and I've been here since 1951.

15 The point I am trying to make is that I don't think
16 that this idea of uniqueness of the state colleges is justified
17 and this is part of our trouble. To make it a little clearer,
18 I believe that the four year liberal arts colleges, of which we
19 have many, like Stanford and so on, and the state universities,
20 as far as the first four years are trying to do the same thing
21 and to make a distinction, I say, on the liberal arts element
22 I think it's erroneous. I do not think, of course, we have
23 graduate schools and this is a question to what extent the
24 Legislature at some future time must feel we should have
25 elaborate graduate schools.

26 The other thing has to do with graduate state colleges,

1 teacher training and what are termed the needs of the com-
2 munity and here again the teacher is expected to be a good
3 teacher and I think this is pointed out by the recent study of
4 the Joint Committee and the Citizens Committee that you wanted
5 educated people to teach our youngsters, and this can come just
6 as well out of a private college, out of a state university or
7 the state colleges. I happen to have taught in the public
8 schools and in that sense I could never see any uniqueness about
9 teacher training. I think there is an implication that comes
10 out of the past when teacher training was only two years for
11 elementary school people. It comes out of the implication
12 state colleges were once only this, that there is something
13 very, very unique about teacher training, and therefore it
14 should be a lesser degree of education, that is, for some
15 reason our teachers should be less trained.

16 I say when they come out of Occidental, Pomona,
17 University of California or whatever it is, the other element,
18 that is the local needs, I think it is true that all colleges
19 attempt to serve local needs, and I think the issue at stake
20 is somewhere in this manner, is the level of what you might
21 call the special needs up to collegiate level, that is, to
22 what extent are the state colleges perhaps going below col-
23 legiate level in their what you might say non-liberal art and
24 non-teaching? That is doing work as that duplicated by the
25 junior colleges and perhaps even duplicating work that is being
26 done on a high school level.

1 I think that the crux of the situation at Long Beach
2 State College, in my own estimation, has to do with the code
3 in some instances; there is an article that says that the staff
4 at the college shall be organized in accordance with practices
5 followed in good college administration, and I think that what
6 causes the trouble may go way beyond the personal element.
7 There are personal elements involved, certainly, that is, if a
8 person goes to a collegiate institution of higher level and in
9 the state colleges, say, we will hire the best, they are going
10 to come out of indications of what is good collegiate adminis-
11 tration. They've got the same as those for elementary and
12 secondary schools.

13 I think that is very standard practice, if agreed on,
14 and I think Mr. Gaffney raised this, that there is an actual
15 legal sharing in most of it, what I would call institutions
16 under this definition, better college administration of
17 authority. What has happened, I believe in our own state
18 college system, it grew up under the days when it was strictly
19 teacher education. I've checked the code. It's been there a
20 long time. There's no authority written in for faculty, and
21 you take our own University of California, there's an authority
22 written there.

23 And now as an illustration, we have a faculty council;
24 it is advisory, which at our state college means absolutely
25 nothing and I think you've seen and hear all kinds of people
26 giving advice. I think the normal analogy is drawn, let's say,

1 the Legislature and the Executive; normally, I think and quite
2 regularly a certain amount of legislative authority is vested
3 in the faculty, usually by the governing body such as the, well,
4 Board of Regents or whatever it is, that is, they are given real
5 authority when it comes to curriculum, academic standards and so
6 on. And I think this can be done and I think it would solve a
7 great many of the problems.

8 I think as far as the growing pains, I've always felt
9 where else, but, let's say, Long Beach, should there be less
10 trouble. We are all anxious to come to California. We hear this
11 all the time: pay is relatively good and the chances of advance-
12 ment are good, and the chances of, let's say, those people that
13 have administrative ambitions are good. I've never believed
14 that the cause for the difficulty is growing pains as much as
15 it's been said, and I am sure you will have some personal problems
16 along this line, but in fact, the other way around when a person
17 goes into an institution where everything is settled, he has no
18 chance for promotion whatever and there's where you have the
19 real conflict.

20 CHAIRMAN GEDDES: Any questions? Thank you very
21 much.

22 (The statement of Howard E. Kimball is incorporated
23 into the record as follows:)

24 "Testimony of Howard E. Kimball, Associate Professor
25 of History and President of the Long Beach State College Chapter
26 of the Association of California State College Instructors

1 "I should like to address my remarks to one point,
2 which appears to me to be central to the problem at Long Beach
3 State College. The Long Beach State College problem cannot be
4 solved permanently at this late stage of its development by a
5 neat and packaged formula. The problem is of long duration, is
6 deep-seated, and is much more complicated than the local admin-
7 istration and the State Department of Education either realizes
8 or perhaps dares to admit, and there are indications that in
9 part it results from and will not be solved because of basic
10 defects in the state college system of California. The problem
11 in its acute form predates the fall of 1951, and it has con-
12 tinued ever since, sometimes irrupting violently and viewed by
13 all but always smoldering.

14 "The problem has come to the attention of the State
15 Department of Education and the State Board of Education on
16 several occasions. Specifically, in the spring of 1952 it
17 necessitated a three day hearing by President Arthur Coons of
18 Occidental, Dean Edmund Lee of the University of California, and
19 the late Alfred E. Lentz, Administrative Advisor to the State
20 Department of Education. Over one-hundred persons were heard
21 and numerous documents were collected. On August 1, 1952, the
22 State Superintendent of Public Instruction told the public
23 that he had 'carefully and thoroughly reviewed not only the
24 report of the committee...whose competence and integrity are
25 not open to question...but the entire record, including the
26 572 page transcript of the hearing held by the Committee...'

1 and that he had also reviewed the report of the Committee at
2 length with the State Board of Education. The same day he
3 informed the State Board of Education:

4 "The report of the Committee is not uncritical of
5 the administration of the College. There are changes in practice
6 and procedures which must be made and will be made. These
7 changes will be designed primarily to establish a closer relation-
8 ship between the administration and the faculty. The report
9 recommends the taking of certain actions by the Director of
10 Education to effect these changes. These actions I will, of
11 course, take immediately...It was charged and admitted that the
12 administration has in the employment of certain members of the
13 faculty made inquiries prior to employment as to their religious
14 faith..., such a practice is a violation of the spirit of the
15 laws of the state and will be...discontinued immediately. '

16 "No disclosure was ever made to the faculty as to how
17 this closer relationship between the administration and the
18 faculty was to be achieved. Many have wondered since whether
19 those reforms that did take place at Long Beach State were
20 ordered by the State Department of Education. Beginning in the
21 fall of 1952, there was a rash of paper reform. Numerous so-
22 called faculty committees appeared. Of the 121 committee posts
23 appointed by the administration, eighty or 66% were given to
24 administrators as compared to forty or 34% given to the faculty.
25 Four deans hold more positions than those held by the entire
26 faculty. Those faculty members who had been critical of

1 administrative practices before and during the hearing were
2 removed from all committee assignments. Other steps were taken
3 to establish a closer relationship between the faculty and the
4 administration. A 'big brother' was assigned to each new
5 faculty member. Faculty members were told that they could
6 never expect to be promoted and others that they should look
7 elsewhere for employment. Seven of the faculty resigned, and
8 others were not re-employed. All those who had dared to speak
9 out to the investigating committee were, with one or two ex-
10 ceptions, isolated. One dared not talk or be seen with those
11 who were thought not to be acceptable to the administration.
12 Eventually, much of the window-dressing of vigorous committee
13 activity ceased. Paper committees were still formed each year.
14 They seldom met and those that did remained powerless. So
15 ended the reform of August 1, 1952. That the State Department
16 of Education believed that the difficulties at Long Beach
17 State had at last been solved was affirmed by a letter dated
18 April 9, 1953, written by the Associate Superintendent in
19 charge of State Colleges to Division of Audits of the Department
20 of Finance. The letter is in answer to letters directed to
21 the Department of Education relative to matters discussed in
22 the Report on Examination of the Books and Records of Accounts
23 of Long Beach State College, and unauthorized use of State cars,
24 use of State telephones for personal long distance calls, mis-
25 use of other State property, and traveling expenses of the
26 President. I quote:

1 " 'This office has studied this information and has
2 checked carefully its own records of hearings, and these and
3 other matters affecting the College were discussed by the spe-
4 cial committee appointed by the Director of Education to
5 investigate college conditions in July, 1952, and subsequently
6 by the staff of this division in conference with the resident..
7 ..Subsequent study of your formal report did not bring to light
8 any additional facts. The Division is satisfied that the
9 President was proceeding in good faith and believed he was
10 carrying out the various responsibilities of his office as
11 President in manner consistent with the duties assigned to him
12 as President of a new and developing state college...This
13 office has reviewed with the President the various findings in
14 your 1951-52 examination of the books and records of Long
15 Beach State College and has insisted that changes be made in
16 details of operation consistent with your recommendations.
17 The Administrative Advisor of the State Department of Education
18 has in his possession proposed articles of incorporation for
19 the college bookstore and those will be completed consistent
20 with established requirements.

21 " 'The membership in the Pacific Coast Club taken out
22 in the name of the President has been cancelled.

23 " 'Both the Director of Education and the Chief of
24 the Division have discussed these matters with the President
25 and we have received regular monthly reports during the 1952-53
26 year from the President reporting on the work of the various

1 administrative and faculty-student committees. It is our belief
2 that the audit report for the following year will show that the
3 President and his associates have proceeded in all good faith
4 in correcting those administrative practices which were crit-
5 ical in your 1951-52 report.'

6 "The question, whether subsequent special audits were
7 ever made and whether similar or further financial irregular-
8 ities as reported by the letters of 1952 have never come to
9 light, perhaps needs further exploration.

10 "Once the State Department of Education became con-
11 vinced that all was well at Long Beach State, even paper reform
12 stopped. Accurate information concerning conditions at Long
13 Beach State College was apparently no longer even sought. By
14 1953 the faculty had been effectively cut off from possible help
15 from the outside. In the fall of 1953, Long Beach State was
16 visited by representatives from the Northwest Association
17 relative to accrediting the college. The 1953 visiting team
18 was carefully kept from the faculty, and it is doubtful that
19 they learned much. Yet, this report was never shown to the
20 faculty. Late in 1956, a second accrediting group visited the
21 campus, the Western College Association. In this second
22 instance, each division of the college was directed by the
23 accrediting association to prepare a frank self-analysis and to
24 answer certain set questions. The impossibility of obtaining
25 a true picture of conditions at Long Beach State is indicated
26 by what happened to the self-analysis in the division I am in --

1 the Social Science Division.

2 "Late in the spring semester of 1956, the Social Science
3 Division received directions to prepare, as a part of general
4 self-appraisal to submit to the Western College Association, a
5 Social Science Division joint evaluation. Item two asked of
6 the faculty in the division 'in what respects do you consider
7 the division least adequate or in the greatest need of improve-
8 ment?' On June 8, 1956, the division approved, with one
9 abstention, its report. The answer to question two read as
10 follows:

11 "We would like to have some firm arrangement worked
12 out to improve communication between the Social Science
13 division and the college administration. We believe that most
14 of the difficulties expressed in the following statements,
15 which emphasize need for improvement in the division, might
16 be resolved through more effective communication.

17 "'a) We agree that the most unsatisfactory character-
18 istic of the Social Science division exists in the fact that
19 some of the instructors assigned to teach Social Science
20 courses are not adequately trained in the respective disciplines
21 to which they have been assigned. These assignments were made
22 without consulting professionally trained faculty members from
23 the departments concerned. We assume these particular instruct-
24 ors are well qualified to teach in the fields of their doctoral
25 specialization, but it is our considered judgment that they
26 are not adequately prepared to offer courses in the specific

1 disciplines to which they have been assigned. We have high
2 regard for professional standards of competence traditionally
3 maintained in our own fields of specialization, and we find
4 this practice detrimental to the educational interests of
5 students, demoralizing to the division faculty, and damaging
6 to the academic reputation of the college.

7 "b) We agree that a second undesirable condition
8 relating to the Social Science division exists in the fact that
9 too frequently we have not been permitted to participate
10 effectively in making decisions pertaining to curricular plan-
11 ning. Administrative decisions pertaining to curricular
12 decisions to change existing and proposed instructional assign-
13 ments are often made without consulting the faculty members
14 directly involved. Frequently we are not informed of these
15 decisions until new catalogs or schedules are distributed. We
16 agree that the pros and cons of every decision involving changes
17 in department curricula should be thoroughly discussed in
18 advance with those members of the faculty directly concerned.

19 "c) Third, we have relatively little influence in
20 determining how various budgetary funds are allocated and dis-
21 tributed. Again, this problem stems from our inability to
22 communicate our needs and to participate effectively in planning
23 procedure. As a consequence, we have been deprived of our
24 necessary amount of library budget funds, travel budget funds,
25 and budget funds for instructional assistants.'

26 "In August, and on orders from the Dean of Instruction

1 of the college, that the above part of the report be shortened,
2 the division prepared and submitted a revised version, but with
3 all the above points retained. At no time between August and
4 late November was the faculty notified that still further edit-
5 ing would be necessary. Immediately before the accrediting
6 team was to arrive on campus, the Social Science division saw
7 the final report as edited by the Dean of Instruction's office.

8 "Item one, 'What do you consider the best elements or
9 characteristics of your division?' appeared in its entirety
10 without a single alteration as originally submitted in June.
11 In contrast, item two, relating to the respects in which the
12 division was least adequate and was in greatest need of improve-
13 ment had been reduced in length from 342 words to 30 words,
14 and of the 30 words, 11 were additions. As edited, the 30-
15 word report read:

16 "The basic need of the Social Science division is
17 effective intra-divisional communication. Also, budgets for
18 meeting divisional needs for travel, library, instructional
19 assistance, etc. could well be increased.'

20 "Thus, what was represented to the Western College
21 Association to be a true self-evaluation made by Social Science
22 faculty in no way resembled the report submitted, but was a
23 gross perversion of the language and intent of the faculty
24 report. Lack of effective communication between the Social
25 Science faculty and the administration was misrepresented as
26 intra-divisional communication. The faculty was also

1 misrepresented as desiring an increase in the budget for
2 divisional needs when in fact this was never suggested.

3 "Further comment concerning the validity of documents
4 prepared by the administration of Long Beach State College rela-
5 tive to conditions on the campus would be, I believe, superf-
6 luous.

7 "I have, I hope, given sufficient detail to make
8 clear the one point which, as I stated at the beginning of my
9 testimony I believe central to the problem at Long Beach State
10 College. Namely, the problem at Long Beach State cannot, at
11 this late stage, be solved by a neat and packaged formula. It
12 is of too long duration, too deep seated, and much more compli-
13 cated than the local administration and the State Department of
14 Education realizes, or perhaps cares to admit, and there are
15 indications that in part it results from and will not be solved
16 because of basic defects in the entire state college system.
17 Incidentally, too, I hope I have pointed up and given some
18 indication of the nature of the problem that faces the faculty
19 at Long Beach State College. For the past nine years, the
20 administration has been allowed to continue to not consult the
21 faculty in hiring, has resorted to punitive scheduling, and has
22 continued its inconsistencies and inequities in promotional
23 policies. Likewise, faculty still continue to be assigned
24 to classes they are not qualified to offer, in some cases above
25 their own objections, but in all cases detrimental to students.
26 The faculty is still, in many instances, denied budgetary

1 information which it believes it should have. Curriculum
2 developments are still being handled arbitrarily in many in-
3 stances and last-minute changes are right now being made in the
4 catalog which are contrary to faculty views as agreed upon in
5 departments and divisions. Derogatory notes from students
6 are still being kept in the permanent files of faculty members.
7 There are still administrative pressures to relax academic
8 standards. There are still no clear-cut guarantees that com-
9 petent faculty members will be reemployed, and in the last year
10 at least two highly competent faculty members have resigned.
11 Others may leave soon.

12 "In answer to faculty charges, the administration
13 alternately has attributed the turbulences at Long Beach State
14 College to the dissatisfaction and agitation of a small minority
15 of chronic malcontents; or to the natural maladjustments of
16 growing pains. Gradually, and especially as a result of the
17 events of the last nine months, it is becoming clear to all,
18 including the press, the community at large, the faculties of
19 the other colleges of California, to the State Superintendent
20 of Public Instruction, and the State Board of Education, that
21 dissatisfaction has been general and well founded. In the
22 process of seeking a remedy to the problem of Long Beach State,
23 the faculty has been forced to appeal to the Personnel Board,
24 the District Court of Appeals, the Office of the Attorney
25 General, and the State Supreme Court.

26 "The Black and Martin affair, although only a single

1 stick in the large pile of combustible material that still
2 remains unattended at Long Beach State College, is still with
3 us. The State Board of Education legally has no authority to
4 reverse a decision of a State College President and the State
5 Superintendent of Public Instruction refuses to over-rule the
6 decision of a State College President.

7 "An impasse has been reached. On June 24, 1958, the
8 State Board of Education approved the report of the Associate
9 Superintendent in charge of State colleges relative to Long
10 Beach State College. This was offered as a solution to the
11 problems at Long Beach State. May I suggest, further, that the
12 eight recommendations offer no solution either for the Black
13 and Martin case or a lasting peace.

14 "I quote the final summarizing statement:

15 "Long Beach State College today stands as one of the
16 finest institutions in the California state college system.
17 The physical plant is surpassed by few in the nation and the
18 faculty has been selected to carry on the educational program
19 of this rapidly developing institution. Faculty members have
20 rights and responsibilities in the life of the college; at the
21 same time the administration, under the laws of the State, must
22 give leadership and direction to maintain educational standards
23 of the highest type. The future of this fine institution will
24 depend in large part upon how the faculty and administration
25 can and will work together. There must be cooperation and
26 understanding on the part of all concerned.'

1 "We agree with the final summarizing statement, but
2 believe that the means recommended for its fulfillment are
3 unrealistic. We submit instead that a full scale investigation
4 and intervention by the legislature is necessary."

5 CHAIRMAN GEDDES: I'd like to call at this time on
6 Mr. Kingsley, please. Mr. Kingsley you are representing the
7 CTA here. I think, though, we'll swear you just the same as
8 anybody else.

9 (Thereupon Mr. William Kingsley was duly and regular-
10 ly sworn by Chairman Geddes.)

11 CHAIRMAN GEDDES: Now, will you state your name and
12 whom you represent?

13 MR. KINGSLEY: William Kingsley representing the
14 California Teachers Association. I'd like to bring to the
15 attention of the Committee a short statement from our organiza-
16 tion. The California Teachers Association, through its field
17 service department, its commission on teacher education and
18 its personnel standards commission, has for some time been
19 aware of the existence of a serious morale and personnel
20 relations problem at Long Beach State College.

21 In May of 1958 the field service of the California
22 Teachers Association received information that the problem of
23 morale had reached rather serious proportions over the question
24 of the non-reemployment of two members of the education depart-
25 ment faculty at Long Beach State College. The matter has also
26 come to the attention of the California Teachers Association,

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1 commission on higher education, which feels that the present
2 morale situation at Long Beach State, if allowed to continue,
3 will have a detrimental effect on the teacher training function
4 of Long Beach State.

5 While the California Teachers Association has not
6 received a formal request to study this problem, the personnel
7 standards commission of the California Teachers Association
8 would undoubtedly consider a request for a comprehensive study
9 of the existing personnel and morale problems on the Long Beach
10 campus. It is our belief that this problem is in need of
11 immediate solution.

12 The California Teachers Association is prepared to
13 offer its assistance to this Committee and to the faculty and
14 administration of Long Beach State College for the resolution
15 of this unfortunate morale and personnel relations problem.

16 Thank you very much.

17 CHAIRMAN GEDDES: Thank you.

18 Now, ladies and gentlemen the hour of 5:30 is upon
19 us. I want to make one explanation, two statements; sometime
20 ago, as has been indicated, a bill of particulars was furnished
21 me which made all the allegations that we have heard today and
22 some others that weren't particularly relevant, but when we
23 decided first that there would be a hearing by this Committee,
24 then we decided what would make material that would get us at
25 the meat of the coconut. Therefore, we sent Mr. Marshall to
26 Long Beach State College. He addressed the people, went to the

1 President, got permission for the different persons who had
2 their names attached to the original communication to meet with
3 him and met more or less as a meeting so that more people could
4 be heard at one time. And from them he obtained the names of
5 people whom it seemed desirable to subpoena. Some people around
6 the college didn't understand the exact procedure. That was in
7 no sense a hearing. There was nobody under oath. That was to
8 try to determine the sufficiency of the charges being very
9 careful to protect those who did not have tenure, do not now
10 have tenure. Those people were not called into the meeting.
11 Some of these people have felt that they are being discriminated
12 against, but we've tried to give both sides of the proposition
13 and certainly if you have any statement that you want to make
14 direct to the Committee, Mr. Marshall or myself will receive it.
15 It should be fully documented or it can be a matter of your
16 opinion, how you view the situation.

17 Therefore, that is the reason, and not because he was
18 trying to play to one side or the other that you weren't called
19 into that particular meeting. Now a great many of you -- not
20 too many now -- have appeared here in answer to the subpoena,
21 which is now waived. All those who have not yet testified, if
22 it was your intention to present a statement, a written state-
23 ment along with your oral statement upon which you'd be cross
24 examined that statement is still in order for you to present.
25 If you have it with you now, turn it over to Mr. Marshall;
26 if not, why, send it to him at the Assembly Committee office at

1 the State Capitol, Sacramento 14.

2 We appreciate the patience of the committee and their
3 cooperation and certainly Mr. Bill Grant's coming up here, being
4 immediately concerned because it's an area he represents. We
5 thank the members of the audience who have shared with us the
6 tiresome but, I believe, a very interesting day.

7 The Committee will review the testimony that has been
8 adduced. We leave out the redundancies and try to determine
9 what are real factors involved and then at an executive session
10 of the Committee will make our report to the full Committee on
11 Education and they in turn will make that report to the
12 Legislature as we are mandated to do.

13 There's a new procedure to be followed in the
14 California Legislature. And that is, that legislation intro-
15 duced must be accompanied by a complete description of what the
16 bill does. The bill must be in print for 30 days after its
17 introduction, now, before it can be heard in committee or acted
18 upon by the House of origin. That means that every interested
19 person in the State of California will have a chance to follow
20 any legislation through the long and sometimes laborious and
21 complex legislative sessions and process, but certainly there's
22 nobody going to be taken unawares with anything that originates
23 here today, and we are aware that there are so many people that
24 are interested not in getting somebody's side but in making
25 Long Beach State College a better place for the students
26 because it is designed primarily for them, and also we want it

1 to be a happy place for those people that we entrust with our
2 educational policies and our educational methods to perform
3 the duties as they do to the state as well as to our future
4 citizens.

5 The meeting is adjourned.

6 (Thereupon the meeting was adjourned at the hour of
7 5:35 p.m.)

8 (The following reports by witnesses not called upon
9 but subpoenaed to appear before the Committee are copied into
10 the record, as follows:)

11 "REPORT BY: S. AUSTEN REEP, Assoc. Prof. of Finance
12 Long Beach State College

13 "TO: Legislative Subcommittee on Extension and
14 Restriction of Tenure; Committee on Education

15 "DATE: December 6, 1958

16 "In Dr. Vasche's report, at the direction of the State
17 Board of Education, on administrative practices at Long Beach
18 State College in the summer of 1958 there were some seven or
19 eight specific recommendations for correction of bad practices
20 at this school. Recommendation #2 stated as follows:

21 "'It is imperative that the President of a state
22 college be given final authority for recommending all appoint-
23 ments to the state college faculty and that members of the
24 faculty cooperate with him in developing procedures and
25 policies through which he may most effectively carry out this
26 important responsibility.'

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1 "On Thursday, July 17, 1958 (only five days after the
2 Board meeting in San Francisco at which President Peterson was
3 directed to reform his administrative practices relating to
4 the faculty) two members of the faculty, namely myself and
5 Associate Professor V. A. Metzger, discussed appointment pro-
6 cedures with the President in his office. At this time
7 President Peterson stated as follows: 'I will hire whomever I
8 wish, whenever I wish, at whatever rank I please without con-
9 sulting the faculty.' This was the President's statement in
10 response to our request that the faculty members concerned be
11 allowed to participate in the selection of new faculty in
12 their respective areas of professional specialization or dis-
13 cipline, and that such appointments be made, if at all possible,
14 at the usual recruiting level of third step assistant professor.

15 "We had this conference with President Peterson to
16 express our concern about the hiring of several faculty members
17 at the full and associate professorship ranks without consulting
18 the faculty currently teaching in the professional specializa-
19 tions concerned. In addition, it was pointed out to the
20 President that hiring at the advanced ranks is not only demoral-
21 izing to current staff members but is an unjustifiable drain
22 on the public purse.

23 "CONCLUSIONS

24 "1. The practice of the President in making appoint-
25 ments at high levels to the teaching staff at Long Beach State
26 College without consultation or advice with the faculty concerned

1 is demoralizing to present staff members, and is contrary to
2 the accepted career system of personnel administration upon
3 which the State College appointments to faculty is based. In
4 addition, because of the quota system of the several ranks
5 under which the State Colleges operate, these practices of
6 President Peterson and his administration are particularly dis-
7 tressing to present career faculty members.

8 "2. The President's remarks about not seeking advice
9 of faculty, as indicated above, implies that he has no inten-
10 tion of correcting and rectifying the abuses to which the above
11 cited Vasche recommendation points."

12
13 "ASSOCIATION OF CALIFORNIA STATE COLLEGE INSTRUCTORS:
14 THE LONG BEACH STATE COLLEGE SITUATION: THE A.C.S.C.I. STATE
15 COUNCIL POSITION

16 "The Association of California State College Instruc-
17 tors, with chapters on almost all State College campuses, and
18 representing about 50% of all state college instructors, is
19 very much concerned with the Long Beach State College adminis-
20 trative problems. It is and always has been the contention of
21 ACSCI that a college requires close faculty-administration co-
22 operation in order to operate satisfactorily. When administra-
23 tors administer, and faculty members teach, and 'never the
24 twain shall meet,' then a situation arises which is incompatible
25 with proper growth and development.

26 "What happens in one state college directly affects

1 the fortunes of all the others. Bound together as we are into
2 one system, the cancer of unhappy faculty-administration relation-
3 ships in one school eats its destructive way throughout the
4 whole organism. The reputation which one incurs affects all
5 the others, and becomes a statewide, not a local problem.

6 "It is for this reason that ACSCI has long been con-
7 cerned with the Long Beach situation. We supported the 1952
8 investigation and have watched with apprehension the develop-
9 ments since that time. We have repeatedly contacted the State
10 Department of Education, calling attention to this matter and
11 offering our services, pointing out that the entire system
12 must not be permitted to suffer because of this one adminis-
13 trative dilemma. Nothing has ever come of this, and the problem
14 has grown steadily worse.

15 "The state college system has grown tremendously and
16 will continue to grow. The offerings are constantly being
17 expanded and the purposes enlarged. It has in a word, come of
18 age, and must now be operated in the most effective manner
19 possible. It is for this reason that the State Council of
20 ACSCI is so deeply and closely concerned with this hearing
21 today, and with the development of ever closer and more har-
22 monious faculty-administrative relationships.

23 "For the State Council of A.C.S.C.I.

24 "Victor L. Jepsen, President"

25
26 "REPORT ON CURRICULUM DEVELOPMENT AT LONG BEACH

1 STATE COLLEGE

2 "Prepared by Irving F. Ahlquist, Professor of History

3 "CURRICULUM DEVELOPMENT

4 "Traditionally the faculty of any college or university
5 has responsibilities beyond instruction and research. It has
6 an obligation to participate in the complex enterprise of build-
7 ing a curriculum for the entire education of the student, a
8 responsibility which is too great to be assigned to curriculum
9 specialists or administrators or any special group. The plan-
10 ning of the whole education of the student is the responsibility
11 of the whole faculty.

12 "The basic reason for faculty sovereignty in matters
13 of educational policy, in curriculum planning, definition of
14 'standards', and determination of admission and graduation re-
15 quirements is to give the student the benefit of the combined
16 training and wisdom of the faculty. In a college in which the
17 faculty has the proper responsibilities and is concerned with
18 the total educational program of the institution, there is apt
19 to be less conflict between faculty and administration over
20 faculty educational sovereignty.

21 "The California State Colleges have long since ceased
22 to be primarily teacher-training institutions. In theory,
23 only somewhat lower entrance requirements distinguish their
24 undergraduate work in Science and Liberal Arts from that at
25 the various branches of the University of California. Never-
26 theless, in the relationship between the State Colleges and the

1 State Board of Education many attitudes and practices survive
2 from the days when they were strictly Teachers' Colleges or
3 even two-year Normal Schools. Nowhere is this more apparent
4 than in matters of course offerings and curriculum development,
5 since final approval for every new course and even for every
6 minute change in the individual college catalogs must come from
7 the office of the State Superintendent of Public Instruction.

8 "Even were no conflict of educational philosophy in-
9 volved, the mere necessity of referring all proposals to a
10 distant higher authority would make planning or revising cur-
11 ricula cumbersome. In order to allow the Superintendent's
12 office time for considered review and still meet the printers'
13 deadline, the teaching faculty is forced to complete its rec-
14 ommendations for the fall semester of the next academic year
15 before the present one is really under way. Small wonder that
16 under such a system mistakes once approved go long uncorrected.
17 In the English Department at Long Beach State, for example,
18 there are four overlapping and undifferentiated 'introductory'
19 courses in literature, while there is no course at all in the
20 important field of Seventeenth Century Literature.

21 "Reorganization of the California State Colleges a
22 few years ago by 'Divisions' rather than 'departments' further
23 added to the bureaucratic delays involved in curriculum develop-
24 ment. Furthermore, it forced the division chairmen to deal
25 frequently with problems about which they could know little or
26 nothing. Even after the 'Divisions' proved unworkable and the

1 traditional 'Departments' reasserted themselves, the office of
2 'Division Head' continues to exist. Thus one more hurdle on
3 the local level faces any proposed change before it can be sent
4 on its way to Sacramento.

5 "Many sins of omission and commission in curriculum
6 building would not have occurred at all had the State Department
7 of Education not imposed the Division system by fiat upon all
8 the State Colleges, with no regard to the particular needs of
9 the individual institutions and even over the vigorous protest
10 of some of the older State Colleges. The inclusion at Long
11 Beach State College of Home Economics in the 'Division of Arts
12 and Languages' - along with Art, Music, Foreign Languages,
13 Journalism, Speech and Drama - was long a glaring example of the
14 absurd lengths to which the necessity of assigning every depart-
15 ment to some Division forced the college administration. The
16 inclusion of such diverse subjects as Mathematics, Conservation,
17 Nursing and Industrial Arts in the 'Division of Natural Science'
18 was only slightly less absurd, as was the lumping together of
19 Business, Anthropology and History in the 'Division of Social
20 Science.' That this yoking together of such patently unrelated
21 disciplines was a stop-gap measure and is slowly being cor-
22 rected is beside the point. By placing upon one man responsi-
23 bility for curriculum development in several totally divergent
24 fields, the Division system inevitably led to erratic and often
25 arbitrary decisions during the first crucial years of the
26 college.

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1 "This attempt to supplant the usual 'Departments' by
2 'Divisions' was more than an administrative blunder which the
3 State Department of Education has later refused to recognize
4 as such. Behind the 'Division' system lay the desire to force
5 upon the State Colleges an educational philosophy with which
6 few of the teaching staff were or are in sympathy. Its avowed
7 purpose was to reduce in effectiveness, if not destroy entirely,
8 the patterns and attitudes traditional in the subject-matter
9 fields. Especially under attack were Science and the Liberal
10 Arts.

11 "At most American colleges and universities, teachers
12 in these two areas tend to be 'Traditionalists', that is, to feel
13 that primary emphasis in the college classroom should be upon
14 basic skills and disciplines and mastery of specific bodies of
15 subject matter. The vast majority of teachers in Science and
16 Liberal Arts at Long Beach State share this attitude, and so -
17 for that matter - do most of those in Education, at least as far
18 as college-level work is concerned. But within the 'Division'
19 framework their point of view was less effective, since Foreign
20 Languages, for example, was matched with Home Economics,
21 Chemistry with Industrial Arts, and Psychology with Education.

22 "That the State Superintendent of Public Instruction
23 and his appointees are openly hostile to the 'Tranditionalist'
24 attitude is a matter of public record. Their pronouncements
25 and Administrative decisions over the years make this clear.
26 Perhaps the most notorious example of their dislike of the

1 academic disciplines was the law, passed at the recommendation
2 of the State Department of Education in 1951, which specifically
3 forbade the State Colleges of California to require any
4 training in any foreign language whatever for any degree what-
5 soever. This law was finally modified in May of this year -
6 but we should like to emphasize that it was changed only as the
7 result of pressure after Sputnik. Meanwhile, for seven years
8 it received nationwide notoriety as the classic example of
9 'Educationist' determination to undermine college standards.

10 "Virtually every area of instruction at Long Beach
11 State has felt direct or implied pressure to bring its course
12 offerings into line with the 'Educationist' philosophy, - if
13 one may use the term as the opposite of 'Traditionalist.' What
14 happened to the proposed program in English in the Spring
15 semester of 1952 will serve as illustration.

16 "Acting upon the instructions of President Peterson,
17 the English faculty had prepared a careful program in language
18 and literature to serve as a basis for future expansion. The
19 hope was to provide a minimum group of courses which should
20 avoid duplication of material, leave no major field uncovered
21 on the graduate as well as the undergraduate level, meet the
22 needs of both the general student and the English major, and
23 use the then almost skeleton staff to full advantage. This
24 program was submitted to Dr. James Enochs, at that time cur-
25 riculum consultant to the Department of Education for the
26 State Colleges.

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1 "Dr. Enochs was spending two or three days in Long
2 Beach and gave this program - upon which the English Department
3 had been working for two years - all of one hour in the late
4 afternoon. He found little good in it.

5 "Among other things, he objected strongly to division
6 of the material chronologically in 'period' courses, the common
7 practice in most reputable colleges and universities. Neither
8 did he wish the material divided by 'types', the only other
9 standard method of avoiding duplication in covering the wide
10 field of English literature. But when a member of the English
11 faculty pressed him for some indication of what sort of arrange-
12 ments he did want, his answer was only, 'what I should like
13 to see is something different, something original.' Different
14 and in original in what way he refused to specify.

15 "Next he attacked the individual courses, one by one.
16 In particular, he objected to a two semester course to cover
17 the wide expanse of World Literature, from Homer and the Bible
18 to modern times. One 3-unit semester course, he felt, was more
19 than ample; in fact, he saw no reason for even one semester,
20 but since the hour was late and he was too tired to argue he
21 finally agreed reluctantly to approve that much. Only his
22 weariness and haste to get away saved some, though not all of
23 the other basic courses - among them the standard surveys of
24 English and American Literature.

25 "After this experience with Dr. Enochs, members of
26 the English department have been careful to disguise basic

1 basic courses under 'Educationist' titles or to prepare 'course
2 descriptions' designed primarily to gain approval in Sacramento.
3 'Literary Criticism', for example, is a standard part of the
4 English offerings at any reputable university; at Long Beach
5 State it is bootlegged under the title of 'Principles of
6 Literary Study'.

7 "The same story might be repeated of virtually any of
8 the traditional academic disciplines. Indeed, insofar as any
9 area of Science or Liberal Arts offers a program at Long Beach
10 State College even approximating the pattern common outside the
11 State College system, it does so only because from the first
12 days of the college a few determined faculty members have
13 either outfaced or outwitted the representatives of the State
14 Department of Education. Only since Sputnik and the consequent
15 revaluation of our whole educational system has it been possible
16 to gain even grudging concessions to the 'Traditionalist' point
17 of view, without resort to subterfuge. And, rightly or wrongly,
18 most 'Traditionalists' feel that the basic situation will
19 remain unchanged as long as curriculum development in the State
20 Colleges must obtain the approval of the State Department of
21 Education.

22 "Curriculum development at Long Beach State College
23 has also been handicapped by problems within the local situation:

24 "1. No committee on curriculum, except in name, has
25 ever existed at Long Beach State. In most institutions of
26 higher learning faculty committees on instruction or curriculum

1 have the power to act for the faculty on departmental and
2 divisional recommendations with reference to proposals of new
3 fields of study, courses of instruction, prerequisites of a
4 course, changes in title of a course, discontinuance of a
5 course, reduction or addition in the number of hours of credit
6 for a course, duplication of subject matter between courses,
7 new academic majors, and general education requirements.

8 "2. The Office of the Dean of Instruction determines
9 all matters of curricula, many times making decisions which are
10 contrary to the recommendations of the departments and divisions
11 concerned. Courses designated to be upper division have been
12 arbitrarily assigned to be lower division; e.g., History of
13 California and Geography of California were upper division
14 three unit courses but by administrative decision, apart from
15 the wishes of the department, were given lower division numbers
16 and reduced from three to two units.

17 "3. Committees concerned with certain phases of cur-
18 riculum development, such as the General Education Committee,
19 have worked on various problems, and submitted detailed
20 reports to the Office of the Dean of Instruction, only to have
21 the reports filed and no action taken. A few years ago the
22 General Education Committee formulated a philosophy of general
23 education for Long Beach State College, had the philosophy
24 accepted by the president of the college, but nothing has ever
25 been done to implement the philosophy.

26 "4. New courses have been introduced into the Summer

1 School program by the Dean of Summer Session without previous
2 referral to the department concerned to discover whether the
3 course fits in with departmental majors or is related to the
4 undergraduate and graduate programs of the college.

5 "Faculty autonomy in all matters relating to cur-
6 riculum development in California's State Colleges is the cry-
7 ing need of the hour. Until such a time as the resources of
8 the whole faculty are utilized in the planning of the total
9 offerings of the college the end product will be a student
10 whose intellectual experience represents the thinking of a
11 few curriculum specialists rather than the combined experience
12 of highly trained individuals from many leading graduate schools
13 in the nation. The state of California is engaged in the
14 expenditure of large sums of money for training in state
15 colleges, but it is not receiving the proper dividends in
16 return when the experiences of capable teachers are not brought
17 to bear on the planning of the whole curriculum."

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